the North-East? Whatever normalcy was being restored, today, seems to be — if I may say so—going down the path, I would ask the Government to make some kind an effort to see that the faith of the people in the Government's capacity to administer and run the country is restored. This is absolute callousness. They do not know what is happening.

SHRI TRILOKI NATH CHATURVEDI: No governance.

SHRI GURUDAS DAS GUPTA: This is from Calcutta.

SHRIMATI MARGARET ALVA: This is from our conscience. It is not a matter of joke, Mr. Gurudas Das Gupta.

THE DEPUTY CHAIRMAN: It is a very serious matter. He was doing good work there. It is very unfortunate that he has been killed.

PROF. RAM KAPSE (Maharashtra) Madam, would the Special Mentions be taken up in the evening?

THE DEPUTY CHAIRMAN: Evening.

Now, we take up the Calling-Attention Motion. Shri Gurudas Das Gupta

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[The Vice-Chairman (Shri Sanatan Bisi) in the Chair]

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE—

Failure of Ministry of Finance to provide funds for payment of outstanding dues to labourers and workers of CPSUs and the action taken by Govt in regard thereto.

SHRI GURUDAS DAS GUPTA (West Bengal): Mr. Vice-Chairman, Sir, I call the attention of the Minister of Finance to the failure of the Ministry of Finance to provide funds for the payment of outstanding dues to the labourers and workers of the CPSUs., and the action taken by the Government in regard thereto.

10 P. M.

THE MINISTER OF FINANCE (SHRI P. CHIDAMBARAM): Mr. Vice-Chairman, Sir, the outstanding dues of the workers of the Central public sector undertakings referred to are presumably in respect of wages and statutory dues, namely, Provident Fund, Employees State Insurance dues, etc.

In a note circulated by the Ministry of labour to the Members of Consultative Committee attached to that Ministry it was indicated that the arrears of wages and statutory dues upto the end of September 30, 1996 as reported by the concerned Ministries/Departments, amounted to a total of Rs. 926 crore. Ministry of Labour has now informed that as per the latest figures collected the arrears stand reduced to Rs. 598 crore. I wish to add that the Department of Steel which was not able to report the figure yesterday, has since reported that there is a due of Rs. 7.13 crores. The arrears, therefore, total Rs. 605 crore.

It may be stated that Government has been providing Non-Plan loans to the sick public sector companies mainly to meet their shortfall in resources to make payment of salaries and wages to their employees in order to save them from hardships. The Non-Plan assistance provided from 1995-96 onwards for the purposes is given below:

	(Rs. crore)
1995-96 (RE)	931.40
1996-97 (RE)	1218.45
1997-98 (BE)	865.38

In addition, the proposals for Supplementary Demands in the current year, which are now before Parliament, include Rs. 267.87 crore for providing fresh Non-Plan support to certain sick PSUs under Ministry of Textiles and Department of Heavy Industry.

The responsibility for payment of statutory dues in the case of Central PSUs in relation to their employees, vests in the management. Therefore, the question of Government providing the funds should not normally arise.

In the case of companies which are fully or partly operating, budgetary support given by way of Non-Plan loan is intended as a support to the resources of the companies so that they could increase their operational income, tide over their cash flow problems and improve their overall operational efficiency. The objective is that the companies must eventually sustain themselves on their own because Government as a promoter cannot be expected or be responsible for meeting their day to day cash requirements for an indefinite period. This understanding implies that the companies would clear their statutory dues from their operational income without seeking further budgetary support from Government. However, in the case of the companies which are non-functioning and have no operational income of their own, the Non-Plan budgetary support provided to them for payment of salaries and wages also include the employer's share of the statutory liabilities which are currently falling due, till a revival plan for them is worked out.

Government has been making provisions for write off of loans and interest and conversion of loans into equity, besides fresh cash infusions under BIFR approved revival plans for sick PSUs. The provision made for these purposes in 1996-97 and in 1997-98 through the current batch of Supplementary Demands are as follows:

(Rs. Crores)

	1996-97	1997-98 (1st batch of Supplementary Demands)
Write off loans outstanding against Government . . .	183.60	13.00
Write off interest due to Government	1187.52	76.75
Conversion. off loans into equity/grants . . .	405.58	136.68
	1776.70	**226.43**
Fresh cash infusions (already included in para 3 & 4 above) .	70.83	18.00

As a part of the revival process of sick PSUs, Government has also been providing grant assistance to the Companies, out of the National Renewal Fund (NRF), for implementation of Voluntary Retirement Schemes etc. Last year, Rs. 223 crore were provided for the purposes, while in the current year Rs. 192 crore have been provided so far through the first batch of Supplementary Demands.

I would like to emphasise here the budgetary procedure followed for providing funds. The assistance to PSUs for payment of wages. etc. is provided by way of Non-Plan loans.

The provisions for them as made in the Budget are placed before Parliament which approves them through the Appropriation Bill. If further sums are required during the year to augment the provision the administrative Ministry/Department concerned should initiate action to secure Cabinet approval for the augmentation and the Cabinet will authorise Ministry of Finance to seek additional funds through the normal budgetary process of supplementary grant etc. In this contest, the question of failure on the part of Ministry of Finance will arise only if it fails to provide the sums decided by the Government for each Ministry/Department, through the Appropriation Bill. I feel it necessary to stress that this is not the case here.

I trust, that this would explain the position.

THE VICE-CHAIRMAN (SHRI SANATAN BISI): I would like to take the sense of the House. It is now 1.05 p.m. What should be done now? Should we go over to the next speaker or adjourn for lunch?

SOME HON. MEMBERS: Adjourn for lunch.

THE VICE-CHAIRMAN (SHRI SANATAN BISI): So, we adjourn for lunch and re-assemble at 2.05 p.m.

The House then adjourned at five minutes past one of the clock.

The House re-assembled after lunch at ten minutes past two of the clock.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE) in the Chair.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Calling Attention. Shri Gurudas Das Gupta.

SHRI GURUDAS DAS GUPTA: Madam, frankly speaking, I regret the statement. I deeply regret the statement of the hon. Finance Minister. I may be permitted to be excused if I give vent to my feelings. To me, Madam, it appears that it is a dangerous assertion of the fact that the Government is not obliged to pay the defaulted statutory dues to the workers. I regret, Madam, because the statement does not make any commitment to liquidate the arrears. I am sorry to say that it is a cruel avoidance of a basic human responsibility that the Government led by Mr. Gujral is expected to perform. The question is that there has been a massive default in the payment of wages, provident fund dues, gratuity and also pension. The total quantum is unknown because only recently a survey has been undertaken. Therefore, I am not in a position to know that. I do not believe that the Government also is in a position to know what the volume of the actual default is. But, Madam, what is the question we are discussing? The hon. Minister has missed a central point. I hope the hon. Prime Minister shall not. The fundamental question, therefore, is that the Government is indulging, not one 'Government but 'Governments' are indulging, in ruthless, reckless and revulsive defaults in the payment of the statutory dues. They have been committing violations of a number of laws enacted by Parliament. This is the basic question. The Employees' Provident Fund Act is being violated with impunity: the Employees' State Insurance Act is being violated: the Gratuity Act is not being implemented by the same Government which has made it: the Payment of Wages Act is not being implemented: the Payment of Bonus Act is also being thoroughly violated

in this country. I do not know if the Government is aware. But our information is that more than one lakh workers working in the Central Government public sector undertakings have been denied their legitimate statutory dues, even if it is after retirement. Only the other day, I received a letter from a person who had retired from a leading public sector heavy engineering, undertaking in Durgapur. He retired three years back. He has not been given his gratuity and since he has not got the money in full, he has not been able to arrange for the marriage of his daughter.

As he says, he has not been able to arrange proper treatment for his wife who has been suffering from cancer. Madam, there are reports of starvation deaths. There are reports of hunger deaths. A number of workers, who are working in the National Textile Corporation, from North India have committed suicide. In the NTC mills in Calcutta there have been cases of suicide. There have been cases of starvation deaths. Nothing substantial has been done over the years. The point that pains me most is that the Government doesn't say that it doesn't have the money to make the payments. Scarcity of funds has not been cited as a reason for default. What is more painful is that the legal responsibility of the Government for making payment is being questioned by the hon. Minister of Finance and important officials connected with the Ministry of Finance. That is the most important point.

Madam, it is a well-known fact that payment of wages and payment of statutory dues are statutory obligations. Non-payment of dues leads to violation of that obligation. The nature of punishment for that violation ranges from 5 years' imprisonment to a fine up to Rs. 25,000. The credit for making the laws more stringent goes to the Labour Ministry because it has made attempts to amend SICA, 1985 as also section 529 of the Companies Act of 1956. The Labour Ministry believes that the restructuring plans should include not only the post-takeover equity structure but also the pre-takeover liabilities. The Companies Act is sought to be amended because the debt due to secured creditors ranking *pari-passu* with workers' dues should be changed. There should be *prima facie* a Central liability to pay such dues known as statutory dues. Therefore, the Labour Ministry in consonance with the general standard of rule and law believes, as I am given to understand, that the payment of wages, provident fund, gratuity and ESI benefits should be given primacy. The Labour Ministry, being the nodal Ministry for the enforcement of labour laws, has taken some initiatives over the years Not only the Labour Ministry under the Government of Mr. Gujral but the Labour Ministry under other Governments also have taken initiatives. But different Departments of the Government are working at cross-purposes. While the Ministry of Labour believes that here should be stringent laws for ensuring the enforcement, the Ministry of Finance believes that it has no legal obligation to make the payments. Madam, the Minister of Finance has referred to the Consultative Committee. I wish the hon. Prime Minister had listened to this. The Ministry of Finance in a communication to the Ministry of Labour has stated and I am quoting the number one point:

> "The Government has no legal obligation to give budgetary support to the companies for clearing statutory dues."

It is the most painful aspect that the Government of India has no legal obligation to clear the dues. That is where we beg to differ. That is where, we believe, the basis of our protest, the basis of our quarrel and

the basis of our disagreement lies. Not only that, the Finance Ministry in the course of the communication says, which is quite abnormal, "Government support in the manner in which it is sought is largely an unproductive and wasteful expenditure". The payment of statutory dues is unproductive! The payment of statutory dues is wasteful expenditure! If these are our commitments to social justice if these are our commitments to propriety and rule of law, where shall the Government of Mr. Gujral lead itself to?

That is precisely the point, Madam, the issue is not new to the Government. Persistently the question of default in the payment of wages had been raised in Parliament. Once upon a time, Mr. Narasimha Rao made a statement on the floor of the House that Government committed to clearing the defaulted wages. The Finance Minister, Mr. Manmohan Singh, on a number of occassions had made it clear that it was the Government's intention to see that workers get their wages. Unfortunately, the commitment was never implemented. The point is, in 1995, a meeting of departmental Secretaries was convened by the Ministry of Labour where I was present and the Secretary of the Ministry of Finance was also present when they were asked whether the violation of the Payment of Wages Act was punishable and whether the Board of Directors of different public sector undertakings could be hauled up in a court of law for the violation, the answer was in the affirmative. Madam, the question is: if a jute baron could be arrested for not paying Provident Fund, why should the Chairman of the National Jute Manufacturers be spared? Madam, the question is: if the proprietor of a private sector company can be called upon to observe the law of the land, why should General Managers of public sector undertakings claim immunity? Therefore, the question is that we have two standards of law one for the public sector and another for the private sector. Hon. Minister, Mr. Chidambaram, was claiming level laying ground for the private sector. He should look into this anachronism. Madam, in 1995 a definite commitment was made by the Finance Ministry as well as by the nodal Ministries that payments would be made and dues would be cleared. Nothing tangible happened since then. There are 242 public sector undertakings and the strength of workers is around nine lakhs About 64 units have been referred to the BIFR. Only on account of Provident Fund and ESI, the default of the public sector is in the region of Rs. 300 crores. Madam, the statement that the total default was in the region of Rs. 600 crores or little more appears to me, an understatement. According to my information, it is in the region of Rs. 1,000 crores. Madam, after the meeting we had in 1955, again a discussion was raised in the House in December, 1996. A group of Ministers discussed this issue. But nothing happened since then. In the last session of Parliament, we met our newly appointed Prime Minister, Mr. Gujral, the Finance Minister and a number of other representatives of the Government. We were given to understand that if the Labour Ministry made a submission to the Finace Ministry detailing out the volume of default, they would make the payment. Again there has been a violation. Since the matter was persistently raised inside and outside the House, the present Government took the step of appointing a three Member Cabinet Sub-Committee on 19th July, 1997. What was the Cabinet Sub-Committee appointed for? Was it appointed to find out whether it was justified to make the payment or was it to look into the legality as to how this responsibility could be avoided? Since 19th July, what has this Sub-Committee done?

The Government is carrying forward the legacy of Mr. Narasimha Rao. The Finance Ministry is carrying forward the legacy of Mr. Manmohan Singh by refusing to pay the legitimate dues to workers. It is shameful. It is extremely unfortunate and shameful.

Let me again quote from the papers submitted to us by the Ministry of Labour. What are the comments of various Ministries? What are they saying? Where is the coordination? Who is there to coordinate? If there is

no coordination, why are the workers being called upon to suffer? The concerned Ministry says that funds from the Government of India are essential for meeting the statutory liability of companies making losses. Which are these Ministries? These are Ministry of Steel, Ministry of Textiles, Ministry of Chemicals, Ministry of Public Enterprises. At least one of those Ministers is present here—Mr. Maran. Therefore, the nodal Ministries are of the opinion that they cannot discharge statutory obligations if money from the Central Government is not provided. On the other hand, the Finance Ministry is saying, "We don't have the legal obligation to provide funds for repayment of these statutory dues" Where is the country going to? Is Mr. Gujaral representing a divided Government? A Government which so legitimately claims its commitment towards the poor is discharging its commitment by refusing to pay hundreds of crores of rupees due to the poor workers! Therefore, the question is, if this Government is divided, let the Prime Minister take a stand. Let the country know where you stand. Or, shall we leave it to the market forces? Shall we leave it to the individual resources of these companies, most of whom have turned sick, to burld up resources to make the payment and till then make the workers suffer? Therefore, the Question is, shall the Government be allowed to violate the laws that it has made? Secondly, the Government is not only a promoter, it is also the owner, Most of the shares are held by the Government. The President is the shareholder. Therefore, if there is mismanagement, if there is corruption, if there are lack of resources, should workers be blamed and should we call upon only the workers to bear the brunt of mismanagement? We are protecting the management of these public sector units. We have not allowed the Labour Ministry to give them the permission for proseention. The Central Providen Fund Commissioner wanted to prosecute them. The Labour Ministry wanted the permission of the Government. The Prime Minister did not give them the permission. On the one hand, we pay salaries to these errant public servants, and on the other we ask the workers to starve! How can this continue? Therefore, it is not only a question of social justice, it is not only a question of the owners of these factories bearing the responsibility of mismanagement, but it is also a question of double standards—one standard for the private sector and another for the public sector.

The point is that most of these units have turned sick. Who is to be held responsible? All the nodal Ministries are monitoring the work of the public sector. If these units have turned sick, who is to be held responsible? I agree there is mismanagement. I agree there is overmanning. I agree there has been corruption. I agree that technology of most of these units is outdated. I agree. But who is to be blamed for it? Why did the nodal Ministries not take appropriate action to see to it that the turn-around strategy could be easy and less costly? Why was it not done? If you decide not to run these units, close them. I wouldn't mind. I wouldn't mind if uneconomic units are closed down. But give the workers their legitimate dues. The workers can't hang on like this. Neither do you take the decision to revive them, nor do you take the decision to liquidate them. For years together, the cases have been pending with BIFR and the workers are not being paid their dues. Therefore, Madam, it is the reluctance of the Government to take a decision. It is the inability of the Government to take a decision. It is the philosophy of the Government to gradually dismantle the public sector. It is the failure of the Nodal Ministries to monitor the performance of these units. That is the basic cause for such non-performance. But unfortunately, the workers are being asked to bear the brunt of mismanagement of the Government as well as the corporate management. I would like to say that workers are left in the lurch, absolutely. The Government has abdicated its responsibility. The Prime Minister known for his socialist past, the Prime Minister known for his commitment to the common people,

(SHRI GURUDAS DAS GUPTA—Contd)

the Government that pledges to stand by the por, abdicates the basic responsibility towards the starving working population of he country. It is unfortunate. Is this the way we should celebrate the fifty years of our independence? Is this the way this country should celebrate the 50th year of its independence? Was this the nature of freedom that the country had conceived?

Therefore, Madam, I feel that the Government must come out frankly and sharply. It is immoral to default. It is illegal to deny wages. The Government is not functioning as a model employer. It is only encouraging the private sector to do the same malpractices on a greater plane. It is a bad precedent, wrong precedent. It is a case of wrong politics. It is a case of perverse political thinking.

Madam, therefore, I call upon the Goernment to make a commitment as to when and how the default is going to be liquidated. Secondly, is it true that the Government has no moral or legal responsibilty as contained in the note? Let the Government make its position clear. Thirdly, what is the Government's attitude towards sick public sector undertakings? How long it is going to take to set them right? Or, is it that the Government has decided not to take any recourse for the improvement of the public sector? Therefore, Madam, I demand immediate action from the Government. Let the policy be clear-cut. Let the country know and let us know where the Government stands. Let us draw the line of demarcation for the Government finally. At least, let me draw the line of demarcation for the Government finally. Yes, this is the Government which is not willing to live up to the expectations of the people. While saying so, Madam, I would request and I would appeal to the hon. Prime Minister, I would appeal to the hon. Finance Minister to take a humane attitude, to take a legal attitude, to take an attitude that a responsible, elected, democratic Government in the country should take. Thank you.

SHRI DIPANKAR MUKHERJEE (West Bengal): Madam, this is an issue on which so many times so many words have been spoken in this House. I will not repeat those words. My first and the main question—not to the Finance Minister alone because I take the Government as a whole and so—to the Government is. Is it not that a Government is a continuing entity? It it not that a Government is an indivisible entity? I think there will be no ambiguity about the answer. If the Government is an indivisible entity, then I am afraid so far as para-9 of the hon. Finance Minister's statement is concerned, where he says what budgetary procedure has to be made and which Ministry has to write and so on, that becomes totally infructuous. If it is an indivisible entity, it is for the Government to decide how the Departments within themselves will work. It is not for the House to give its comments on how a Department will decide what its requirement are. So far as this question is concerned, the Government as a whole as an indivisible entity has to decide how the statutory demands have to to be met. This is my first point. The second point is, the Government a continuing entity? If it is, Madam, then may I invite the attention of the whole House, through you, to the Calling Attention Motion on the same issue—Calling Attention to the situation arising out of non-payment of wages and statutory dues and closing down of a number of PSUs, dated 27.3.95? This has been discussed in this House. On page 746 of the proceedings, the then Minister of Labour says on the floor of the House, and I quote, "...Therefore, payment of wages to the workers is our obligation and we are committed to it." On page 748 in the same Calling Attention Motion, the then Government, the Minister of Labour says, "I can assure the House that payment of wages is the responsibility of the Government, and the Government will do it." Again I quote from page 765 of the proceedings. "As far as workers" dues are concerned, de-

lays are there—I agree—for one year or two years. We have special reserve fund, whatever statutory dues are there to the workers, I will see that they are paid to them, whether employers had remitted the money." This is I am quoting from 27.3.95. During this Calling Attention, the then Finance Ministry had also come and we had raised the same issue. So, things should not be repeated. The question is, today para 5 of the Finance Minister's statement is directly, totally in contravention of whatever had been said in this Calling Attention two years back. The payments have not been made so far. That is another issue. But, the basic question which has been raised is, if what he says is correct, then the Government does not remain a continuing entity. This is my second question to the Government.

Madam, the third point which I want to stress—I don't want to go into details of Rs. 900 crores or Rs. 1,000 crores and all that—since morning we have been discussing about the sanctity of the House, the institution, the Chair. Madam, should I quote from another Short Duration Discussion held on 24.5.95 on the statutory dues irregular payment to Jessop and Co. We have had more or less inconclusive discussions in the sense that the then Minister of Industry, Mrs. Krishna Sahi, was not in a position to give an assurance as to when this payment would be made regularly. Ultimately, the Chair had intervened and I quote from what the Chair had observed when the discussion was concluded. On page 1177 of the proceedings, the Deputy Chairman says, "I know that a lot of things are happening. The industry is sick; that is why the workers are suffering. She needs some money..." Here, she means, Mrs. Krishna Sahi. "...She has written to banks. If she gets the money, that will solve the problem. She is very sympathetic about it. She wants to do something about it. I think we should leave it now, as it is. Let her find out how she can help them. That would be the best way. Just she does not have the money. Therefore, she cannot do anything. Wait for some time." This is not what an individual had said; the Chair telling the House, "Wait for some time." That "wait," not for the Members who had raised this Short Duration Discussion, that "signal" goes from this House to those workers of that particular company, Jessop, to wait for some time. They waited for two years, from 1995 to 1997! At that time, 1,600 employees were there who had not been paid their gratuity after retirement. Today, that number is 2,500. They are waiting. Now, the question comes to this House. This House had given this signal, yes, something is going to be done. Now, I come to the next, 16th July. Sorry. I am only quoting, I am not speaking anything. I am only quoting from the proceedings of this House. Where do the Parliamentary institutions stand? At what level? On 16.7.1996, I raised the issue of non-payment of statutory dues like gratuity and PF to employees of certain CPSUs. I thing, at that time I raised the issue during the Zero Hour. Again on 6.12.1996 the same issue was raised and Mr. Mulayam Singh Yadav was present in the House. In the next Budget Session a memorandum was given to the Prime Minister. We suggested to the extent that if necessary, pay it from the Prime Minister's National Relief Fund at least some money to those who have retired. Retired people have served for 30-40 years. They did not know that the company would become sick. Absolutely no argument. I do not know whether in this country, a developing country, globalisation can change the philosophy, that workers who have put in 35 years of servcie would not be paid statutory dues like gratuity, based only on the agruments put in this paper. They were in private and it was nationalised. Then on the 6th we had been informed that on 5th December, 1996 a meeting was con-

vened by the Labour Ministry where Finance Industry, Textiles and Chemicals and Fertilizers Ministries were present. I would take another 2-3 minutes only. It was decided that information relating to default on wages and other statutory bills would be submitted in the form of a note for consideration of the Cabinet. That was on 5th December, 1996. After that, in May, 1997, 46 MPs gave a memorandum to the Prime Minister drawing his attention to this and then in a letter to me dated 29th May, 1997 by the Prime Minister I was informed that a Cabinet Note was being prepared by the Labour Ministry on the subject. Once this was done, we expected the matter to be taken up in the Cabinet to resolve the issue. What is being resolved? When you are collecting the figures for statutory dues, it can only be the amount. What is going to be resolved with the amount? If the question before the Government is whether to pay these dues or not, whether this is the responsibility of the Government or not, then why were seven months spent in collecting these figures? "खोदा पहाड़, निकली चुहिया"। चुहिया भी नहीं निकली। Nothing has happened.

"खोदा पहाड़, निकली एक सब कमेटी"। This decision was taken up in a Cabinet Note that another sub-committee would be formed to find out how to resolve this issue. The issue is clear before you in the first instance, Rs. 918 crores or something like that. These are the statutory dues. Are you going to pay or not? If it is not to be paid, say that it is not to be paid and it is not Government's business. But, if you says, as I said, then this Government does not remain a continuing entity as well as an indivisible entity. This is the question. The whole question surrounds the fact that if the money is not Government's business, then why did you discuss for hours together this issue in the Parliament? If it is restricted only to the Companies Act, different companies or whatever it is, would be punished. What for did you discuss this in the Parliament time and again? Why did you waste the time of this Parliament? If it is not the duty of the Government, whose duty is it? What signal are you sending? I know, in the present circumstances we have to be investor-friendly. We are not against it. Yes, we have to be investor-friendly. But if it is linked to workers hostile approach, let that be cleared, "We do not take any responsibility of the workers, whether they are working in the private sector or the public sector, so far as their dues are concerned and so far as protection of their human rights is concerned." A man works and he does not get his gratuity and PF. It is a question of human rights. It is a question of articles 39 and 40 of the Constitution. Can the State say that it is not its responsibility because the company is covered by Companies Act? If the management does not pay, let it be prosecuted. The question of prosecution of management comes otherwise. The basic reason why they do not pay is that the money was diverted for working capital. The working capital was not there. It is not that all these are already close. They are not closed. Out of the 60 odd companies which are referred to BIFR, hardly 10—12 companies are such that they are not working. They are functioning. They are functioning in losses. They are not closed. They are hungry of working capital. If they go to one Ministry, it says go to the other Ministry. If they go to the other Ministry, it says go to the Finance Ministry. And ultimately they come to the Finance Ministry. The fundamental question which is to be decided here today is: Should we admit that it is not tht responsibility of the Government;

it is not the responsibility of the Parliament? The lives of 2,50,000 workers are involved in it. If this is not our responsibility, tomorrow someone whether from this side or that side should not talk about judicial activism or over activism. Where should these people go? Where should these workers go? If this Parliament cannot take a decision on this, where will these people go? They may not be in a position even go to the judiciary because they do not have the money. What will they do? I will tell you, Madam, what they will do. The only option that you are leaving for them after raising these issues in the Parliament for the last thre years, is that they should take the law into their own hands. If this is the signal that the Parliament wants to give, the Government wants to give, then I have nothing more to say, I have nothing more to talk about these legal, juggeries which have been given in the statement. Thank you, Madam.

श्री प्रतीश प्रधान (महाराष्ट्र) : मैडम, आज मुरुदास दास गुप्त जी ने यहां एक बहुत महत्वपूर्ण मद्दा उठाया है जिसके साथ मैं भी स्वयं को सहभागी मानता हूं ।

मैडम्, हमारी कई ऐसी पब्लिक सैक्टर कंपनीज हैं जिनमें वर्कर्स को पगार नहीं दी जाती । यह भारत सरकार के लिए बड़ी शर्म की बात है। हम यहां कानून बनाते हैं और कोई प्राइवेट अंडर टेकिंग अपने यहां काम करने वाले वर्कर्स को पगार नहीं देती तो उसके खिलाफ कानूनी कार्यवाही की जाती है क्योंकि वर्कर्स की पगार एक नंबर की प्रायरिटी वाली चीज मानी जाती है, लेकिन जो पब्लिक सैक्टर अंडरटेकिंग हैं, वहां सरकार इस विषय में सक्रिय नहीं होती , जिम्मेदारी नहीं लेती। सरकार इन लोगों को कई महीनों से पगार नहीं दे रही है जोकि बहुत बुरी बात है। मैं आप से अनुरोध करूंगा कि आप इस विषय में सरकार को आदेश दें कि वह जल्द-से-जल्द इन वर्कर्स की पगार देने का प्रबन्ध करे। बजट में प्रावधान है या नहीं है या छक और कारण है, लेकिन किसी भी हालत में वर्कर्स की पगार नहीं रोकी जानी चाहिए उन्हें पगार मिलनी चाहिए । मैडम्, कई जगह इन वर्कर्स को उनके प्रॉवीडेंट फंड का पैसा नहीं दिया जाता। यह बहुत गंभीर बात है जिस पर ध्यान देने की आवश्यकता है। इतनी ही बात मुझे कहनी थी। धन्यवाद

SHRI SANATAN BISI ARUSA: Madam, I thank you for giving me this opportunity. Madam, this calling attention is regarding non-payment of provident fund, Employees' State Insurance fund, statutory dues etc. The hon. Finance Minister in para five has clearly stated that all these things vest in the management. I would like to know in the case of provident fund, Employees' State Insurance, etc., who the 'management' is. The other thing that I would like to sumbit is that in para six the Finance Minister has made a mention of 'promoter'. I would like to know in all these things who are promoter is. This aspect has to be examined. In para, nine, the Finance Minister has made a mention about the administrative ministry. It has been stated that the question of 'falure' on the part of the Ministry will arise only if it fails...

After hearing Shri Gurudas Das Gupta, I sent a slip stating that I have a point of order on what Shri Gurudas Das Gupta has stated and on the statement of the hon. Finance Minister. If the statement is taken into consideration, it is clearly stated that his Ministry i.e., the Finance Ministry, for the purpose of payment of statutory dues including Provident Fund Employees State Insurance dues and statutory dues, is not concerned. If the hon. Finance Minister says clearly, as per his statement, that it is not within his jurisdiction, then I want to know as per rule 180 of the Rules Book-Calling Attention of the concerned Ministry under whose jurisdication it comes. So, apart from this, I would like to apprise some of the facts so far as the matter that has been raised here is concerned. I will refer

to the Annual Report of the Ministry of Industry for the year 1996-97. In that report at page 165, it is stated, "Wage, salaries, policies, industrial relations and other related aspects in the Central PSEs." Madam, with your permission, can I read out some points?

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Yes. But in brief.

SHRI SANATAN BISI: What is stated here is relevant. "The Department of public Enterprises, the Ministry of Industry continues to function as nodal agency for evolution of policy relating to wage and settlement." Secondly, what is stated here is, "Administrative machinery." About the administrative machinery it has been mentioned in para 9 of the statement. So, my submission before the House is, whether it is with in the Ministry of either Industry or Labour or Finance and that Ministry will consider a new wage policy, pay revision for execution, death-cum-retirement gratuity, voluntary retirement scheme for the employees of public sector enterprises. Now, it is to be cleared. Further, I want to know whether this calling attention relates to the Ministry of Industry when the Ministry of Finance has completely denied that it is not within its jurisdiction. The other thing which I would like to submit is about the BIFR. This is relating to sick units. Madam, I am not going into the whole paragraph. It is at page 162. It reads, "...a provision has been made in the Budget in order to protect the interest of the worker likely to be affected. The Government has already established a National Renewal Fund to take care of the..."

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Mr. Bisi, do not go on reading everything.

SHRI SANATAN BISI: Madam, these are the things which I would like to draw the attention of the House. I wanted to know whether it is the Ministry of Industry or the Ministry of Finance which will settle the statutory dues. Who is the employer so far as payment of Provident Fund is concerned? Does it mean the Union Government or the administration, the management? Who will pay the contribution to the employees? I wanted to know whether the calling attention motion would be of the Ministry of Industry or of the Ministry of Finance. Thank you.

श्री इंगारू लक्ष्मण (गुजरात) : उप-सभाध्यक्ष महोदया, यह एक बहुत महत्वपूर्ण मुद्दा श्री गुरुदास दास गुप्त जी ने उठाया है क्योंकि पब्लिक सैक्टर अंडरटेकिंग्ज में काम करने वाले मजदूरों के सामने दिन-प्रति-दिन ये सवाल खड़े हो रहे हैं। महोदया स्टेच्युटरी ड्यूज की जो पेमेंट रुक गई है, वह अधिकांश उन इन्डस्ट्रीज में रुकी है जहां इंडस्ट्रीज सिक हो गई हैं और उन ड्यूज का पेमेंट करने की उनकी केपिसिटी खत्म हो गई है। इन कारखानों की मालिक होने के नाते से सरकार की यह जिम्मेदारी बनती है कि मजदूरों के जो स्टैच्युटरी ड्यूज हैं, उनका पेमेंट किया जाए और मजदूरों की मांगों को पूरा किया जाए। महोदया, मिनिस्टर साहब ने पैरा 5 कहा है कि—

The question of providing funds by the Government should not normally arise. केवल यह कहकर आप अपनी जिम्मेदारी से हट नहीं सकते। सरकार ने कुछ इन्डस्ट्रीज में वालंटियरी रिटायरमेंट स्कीम इंट्रोड्यूज की है। उस स्कीम के तहत कई लोगों ने रिटायरमेंट ले लिया है, महोदया, पिछले 6 महीने से साल भर के अन्दर जिन लोगों ने रिटायरमेंट ले लिया है, उनको अभी तक किसी प्रकार की पेमेंट्स नहीं हुई है। अभी पिछले दिनों सदन में आई०डी०पी० एल० का मामला उठा था। उस समय यह विषय भी उठाया गया था कि पिछले दिसम्बर

से लेकर आज तक जो लोग रिटायर हो गए हैं, डेढ़ सौ के करीब, उनको किसी प्रकार की पेमेंट आई.डी.पी.एल. का मैनेजमें नहीं कर पाया है ।

महोदया, हमारे देश के अन्दर यह कानून है कि यदि कोई मालिक अपने इम्प्लायीज के स्टैच्युटरी ड्यूज का पेमेंट करने में फेल हो जाता है तो उसको नोटिस दिया जाता है और उसके खिलाफ प्रोसीक्यूशन की प्रोसीडिंग्ज शुरू हो जाती है । उसी मानदण्ड के तहत सार्वजनिक उद्यागों के मालिक यानी सरकार के खिलाफ यह कार्यवाही शुरू होनी चाहिए ? सरकार ने यह जो नीति बदली है, इसके कारण ये सब समस्याएं उठ खड़ी हुई हैं । वास्तव में ये जो पब्लिक अण्डरटेकिंग्ज हैं, इनके ऊपर संशय की तलवार लटक रही है कि कब क्या होगा । कुछ पता नहीं चल रहा है । आए दिन कुछ न कुछ अखबारों में निकलता रहता है । पिछले दिनों इकानामिक टाइम्स में यह खबर छपी थी कि लगभग 10 पब्लिक सैक्टर अण्डरटेकिंग्ज सेल के लिए पड़े हुए हैं, जिसमें जिक्र आया है इन कम्पनियों का—ऐन्ड्रयूल्स, स्कूटर्स इंडिया लिमिटेड, भारत हैवी प्लेट वेसल्स, भारत पम्प ऐंड कंप्रेसर्स, तुगभद्रा स्टील प्रोजेक्ट्स, हिंदुस्तान सॉल्ट्स, भारत लैदर इंडस्ट्रियल डेवलपमेंट कारपोरेशन आदि-आदि । जब इस प्रकार की खबरें छपती हैं तो वर्कर्स परेशान हो जाते हैं ।

महोदया, यहां पर वर्कर्स के ग्रुप आए, उनके रिप्रैजेंटेटिव्ज आए और उन्होंने इन्डस्ट्री मिनिस्टर से, प्रधान मन्त्री से और अन्य अधिकारियों से मिलने की कोशिश की । सरकार आज किसी न किसी तरीके से इनको प्राइवेटाइज करना चाहती हैं । कुछ इन्डस्ट्रीज तो ऐसी हैं जहां कोई कारण नहीं है कि उनके साथ इस तरह का बर्ताव किया जाए । सरकार जो नीति बनाती है उस पर चलते हुए ये उद्योग सिक हो जाते हैं, बीमार हो जाते हैं । वे अपने आप सिक नहीं होते । इन इन्डस्ट्रीज को जब सरकार ने लिया, सरकारीकरण हुआ, यद्यपि उसे राष्ट्रीयकरण कहा गया, जब सरकारीकरण हुआ तो सरकार की जो नीतियां थीं, सरकार की जिस प्रकार से इंडलजेंस थी, उसके कारण ये इन्डस्ट्रीज सिक हुई हैं ।

महोदया, मैं पिछले 20 सालों से एक इन्डस्ट्री का अध्यक्ष रहा हूं । वहां पर उस इन्डस्ट्री के जो मिनिस्टर या ऐडमिनिस्ट्रेटिव मिनिस्टर हुआ करते थे, उनके पास उस पब्लिक सैक्टर अण्डरटेकिंग के 5–6 वाहनों की ड्यूटी लगा करती थी । आप आश्चय करेंगे कि एक वाहन तो उनके पास इसीलिए रखा जाता था ताकि रात में वह गाड़ी उनके ड्राइवर को घर छोड़ सके ।

3.00 म. प. यदि इतना सरकारी इन्टरफिएरेंस और दुरुपयोग पब्लिक सैक्टर का होता रहा और इस कारण से यह पब्लिक सैक्टर यूनिट आज इस स्थिति में पहुंच गई है कि वह मजदूरों के जो स्टेट्यूटरी ड्यूज हैं वहां तक पे करने की उनकी स्थिति नहीं बन रही है । सरकार को अब कम से कम कोई ऐसी नीति बिल्कुल पक्की नीति अपनानी चाहिए । एक तरफ तो आपने डिसइंवेस्टमेंट कमीशन बना दिया है और डिसइंवेस्टमेंट कमीशन की जो रिकमन्डेशंस होंगे उसी के आधार पर आप प्राईवेटाइज करने की बात करते हैं । लेकिन डिसइंवेस्टमेंट कमीशन की रिपोर्ट अलग बनी है, वह अलग अपनी जगह है । उसके अलावा कुछ इस प्रकार की खबरें छपती हैं जिसमें डिसइंवेस्टमेंट कमीशन से कोई लेनादेना नहीं है और यहां से खबरें बनती रहती है कि फलानी इंडस्ट्री को इस प्रकार से होगा । फलानी इंण्डस्ट्री को को इस प्रकार से होगा । यह जो स्थिति है इसको समाप्त करने की आवश्यकता है । सरकार को बिल्कुल पक्की तौर पर यह निर्णय करने की आवश्यकता है । अब कई पब्लिक सैक्टर अंडरटेकिंग्स के अंदर जो चीफ एक्जीक्यूटिव है या तो वह रिजाइन करके चला जाता है या फिर उसकी पोस्ट खाली हो जाती है तो मैंने देखा है कि 11–11 महीने, साल-साल भर एड्होक अरेंजमेंट करके वह चलाते रहते हैं और उस पर कोई ध्यान नहीं दिया । इस प्रकार से चलाने के कारण जैसे इस इण्डस्ट्री के अंदर जहां भारत हैवी प्लेट्स एण्ड वेसिल्स का जिक्र किया गया है । 11 महीने तक वहां पर कोई चीफ एक्जीक्यूटिव नहीं था । किसी जी. एम. को वहां इंचार्ज बना दिया है और उस जी. एम. के रहते हुए पहली बार पिछले 20 साल के अंदर उस कम्पनी ने लासेज सफर किया । जैसे ही एक एक्जीक्यूटिव की नियुक्ति हो गई फिर से उसने प्रोफिट कमाना शुरु कर दिया ।

इस प्रकार से अब कई जगह पब्लिक सैक्टर यूनिट के अंदर गवर्नमेंट के नुमाइंदे-डायरेक्टर्स हैं । वे मीटिंग में भी नहीं जाते हैं, पता भी नहीं करते हैं, उसकी रिपोर्ट भी तलब नहीं करते हैं । इस प्रकार की स्थिति जो है और इसलिए एक प्रकार से यह लगता है कि सरकार किसी न किसी बहाने इन सब को अपने चंगुल से छुड़ाना चाहती है, अलग कर देना चाहती है, उनकी भरोसे उनको फैंक देना चाहती है । और इस प्रकार की स्थिति है तो इस देश के अंदर जो कानून है, इस पार्लियामेंट ने जो कानून बनाया है उस कानून के अंतर्गत उसके ऊपर कार्रवाई होगी । उसको सरकार क्यों रोकती है । इस प्रकार की स्थिति पैदा नहीं होनी चाहिए इसलिए मैं इस कॉलिंग अटेंशन के द्वारा जो मसला उठाया गया है उसका पूरा समर्थन करता हूं और सरकार से मांग करता हूं कि यह सरकार की जिम्मेदारी है । आज सरकार यह नहीं कह सकती कि यह मेरी मिनिस्ट्री में नहीं आता, यह उनके पास आता है । यह तो सरकार एक है, यहां पर उनकी जोइंट रेस्पांसिबिलिटी होती है, सरकार की नीति के चलते हुए यह सब बातें आई हैं इस बात को नजरअंदाज नहीं किया जा सकता और सरकार की यह जिम्मेदारी बनती है कि जो स्टेट्यूटरी ड्यूज हैं उनको पेमेंट होनी चाहिए । इतना ही नहीं सरकार कोई निश्चित नीति बनाए पब्लिक सैक्टर के सिलसिले में । इस प्रकार से नहीं चलेगा, जिम्मेदारी से हटने की बात को लेकर के नहीं चलेगा । हमें क्या लेना-देना है, इस प्रकार की नीति से कुछ नहीं चलेगा । सरकार को अभी भी इस विषय पर पूर्ण तरीके से सोचना चाहिए और यह प्रबंध करना चाहिए कि जो पब्लिक सैक्टर हमने लिए हैं, आगे न लेने वाली बातों को तो दूर रखिए लेकिन आज जो चलते पब्लिक सैक्टर हमारे हाथ में हैं कम से कम उनके साथ इस प्रकार बर्ताव न हो, उनको निगलेक्टेड न माना जाए, उनको निगलेक्ट न किया जाए । उनके प्रति एक ठीक-ठीक प्रकार की नीति अपना कर के उनके सुधारने की कोशिश सरकार को करनी चाहिए। इन्हीं शब्दों के साथ में यह जो कॉलिंग अटेंशन आया है उसके मन्तव्य को पूरी तरह से समर्थन करता हूं ।

धन्यवाद ।

डा० (श्रीमती) उर्मिला बेन चिमनभाई पटेल (गुजरात) : थैंक्यू, मैडम, गुरुदास दास गुप्त जी ने जो कॉलिंग अटेंशन नोटिस दिया है केन्द्र के पब्लिक सैक्टर अंडरटेकिंग्स के बारे में उनके साथ में जुड़कर कहना चाहती हूं कि देश में कई तरह के उद्योग ऐसे बंद पड़े हुए हैं जिनके कामगार आज बेकार हैं। गुजरात की बात जो मैं कहूं तो एन०टी०सी० की कई मिलें आज बंद हैं। उनके आउट-स्टैंडिंग ड्यूज बाकी हैं। जहां ड्यूज तय हो गए हैं वहां भी 3-3, 4-4 महीने से उनके वेजेज मिले नहीं हैं ।

मैडम, मैं यह बताना चाहती हूं कि यह जो बी.आई.एफ.आर. बनाया गया इसके तीन हजार करोड़ रुपये के फण्ड की व्यवस्था की गई थी जिसका हेतु यह था कि ऐसे जो बन्द उद्योग हैं, उनके मजदूरों की जब रोजी-रोटी छीनी गई हो तो तो वे उससे अपने जीवन का गुजारा कर सकें और उनके ड्यूज समय पर मिलें । उनका जो काम करने का अधिकार है, उनका जो काम पाने का अधिकार है यह अधिकार चालू रहे और कहीं रिहैबिलिटेशन का प्रोग्राम बना कर के उनको काम में लगाया जाए और जो सिक यूनिट्स हैं, सिक उद्योग हैं वे चालू हो सकें, उनको सपोर्ट देकर के चालू करवाया जा सके जिससे बढ़ते हुए बेरोजगारों की संख्या में ज्यादा नये बेरोजगार शामिल न हों । यह सब देखने की खवाहिश से बी.आई.एफ.आर. की योजना बनाई गई थी ।

मैडम, मैं यह कहना चाहती हूं कि मिल मजदूर टैक्सटाइल मिल में ही काम कर सकते हैं, उनके पास दूसरी तरह का काम करने के लिए जो स्किल होनी चाहिए वह नहीं है । टैक्सटाइल मिल में काम करने वाले एक मजदूर को छह, सात, आठ आदमियों का एक कुटुम्ब है और सालों तक मजदूरों की प्राब्लम्स का कोई समाधान न हो, उनको ड्यूज न मिलें, 15—15, 20—20 साल से उनके ड्यूज निश्चित हो गये और कुछ को एक इंस्टालमेंट मिली उसके बाद कोई इंस्टालमेंट नहीं मिली, जो मजदूर वहां पर काम करता था उसका देहान्त हो गया, अब उसकी मां कहती है कि

मैं भी मर जाऊंगा, मेरे बच्चे भी मर जायेंगे तो फिर सरकार किसको पैसा देने वाली है ? इस मंहगाई में ये लोग क्या खाते होंगे, कैसे अपना गुजारा करते होंगे ? मैं कहना चाहती हूं कि इसको ह्यमनटरियन ग्राउण्ड पर देखना चाहिए कि उन लोगों के कुटुम्ब का निर्वाह कैसे होता होगा आप जानती हैं कि बाद में वे एंटी सोशल एक्टीविटीज में, इल्लीगल एक्टीविटीज में अपना गुजारा करने के लिए लग जाते हैं । जब हमने अपनी योजना बनाई है और उसका समय से फायदा नहीं मिलता है तो उस योजना का अर्थ क्या है ? और उनकी ओर से स्पेसिफिकली योजनाएं गवर्नमेंट के पास आई हैं, स्टेट गवर्नमेंट के थ्रू सेन्ट्रल गवर्नमेंट के पास आई हैं । अगर सरकार यह रकम नहीं दे सकती है तो उनके पास जो एक्सट्रा मिल्कियत पड़ी है, जमीन पड़ी है उसको बेच करके वे लोग अपने मजदूरों के ड्यूज देने के लिए तैयार हैं और अगर सरकार यह मल्कियत बेचने की छूट उनको दे दे तो मजदूरों के ड्यूज देने के बाद भी सरकार के पास पैसे बचेंगे और उस रकम को सरकार किसी दूसरी सिक इंडस्ट्री को देना चाहे तो दे सकती है । अगर यह पोजीशन है तो सरकार के पास ये फाइलें वैसी की वैसी निर्णय लिये बिना क्यों सालों तक पड़ी रहती हैं और सरकार उन फाइलों पर निर्णय क्यों नहीं लेती है ? जब राज्य सरकारों ने अपनी मंजूरी देकर के यहां पर भेजा हो तो ऐसी स्कीमों को समय पर मंजूरी देने में क्या मुश्किल है, यह मेरी समझ में नहीं आता है। अगर ऐसा हो सकता है तो पूरे देश में जो सिक उद्योग हैं, जो सिक यूनिट्स हैं उनके लिए हम एक ही लाइन पर अपनी स्कीमें बना सकते हैं।

मैडम, मैं स्पेसिफिकली एक्जाम्पल देकर के बताना चाहती हूं। मैंने फाइनेन्स मिनिस्टर से इसके बारे में जिक्र किया है उन्होंने उसके बारे में देखने का आश्वासन भी दिया है। जैसा कि नौसारी में गायकवाड़ मलें हैं वहां के मजदूर कोआपरेटिव बजिस र उस मिल की स्पीनिंग सैक्शन को चलाना चाहते हैं, ऐसी कई मिलें है जिनके स्पेनिंग सैक्शन चल सकते हैं। नहीं भी चल सकते हैं ऐसी भी कई मिलें हैं जो स्क्रैप में जाने वाली हैं। लेकिन अगर हम वहां पर अलाऊ करें तो पावर-लूम चला कर के वहां के मजदूर अपनी रोजी-रोटी कमा सकते हैं। ऐसे जो सवाल हैं जिनका हम उकेल आसानी से ला सकते हैं, इसमें मजदूर भी तैयार हैं, मालिक भी तैयार हैं, महाजन भी तैयार हैं और सरकार की भी मंजूरी है तो इसके बारे में अगर मानवता के दृष्टिकोण से तुरन्त निर्णय हो तो मजदूरों के प्रश्नों को हम आसान कर सकते हैं। बी० आई० एफ० आर० जिसको मदद करने के लिए बनाया था, आज तो ऐसा लगता है कि हमारे जो प्रश्न हैं उनके उकेल करने के बजाए उनको ज्यादा लम्बा कैसे खींचा जाये, इसके लिए ही बी० आई० एफ० आर० का उपयोग हो रहा है।

मैडम्, मैं आपके माध्यम से मंत्री जी को यह बताना चाहती हूं कि अगर वे निर्णय करें क्योंकि वर्कर्स को-आपरेटिव चलाने के लिए तैयार हैं तो उनको कोआपरेटिव बेसिस पर यूनिट चलाने की सहमति दी जाए । दूसरे उनके ड्यूज जितनी जल्दी हो सके उतने जल्दी टाइम बाउन्ड प्रोग्राम में दिए जायें और जहां पर अपनी एक्स्ट्रा मॉलिकबेत है, स्वावर मलिकबेत है वह बचकर अगर इसका हल निकल सकता है तो वे छूट दें। यह आजादी का पचासवां साल है जिसकी हम स्वर्ण जयन्ती मना रहे हैं। जो लोग मजदूरी करके अपना जीवनयापन करने वाले हैं, जो बैकवर्ड हैं, जो गरीब हैं, जो पिछड़े क्षेत्रों से आ रहे हैं, जो शैड्यूल्ड कास्ट और शैड्यूल्ड ट्राइब के लोग हैं और इनमें काम करने वाली महिलाएं भी हैं तो उन लोगों के प्रति सहानुभूति करके अगस्त महीने में हम उसका निर्णय करें, मंत्री जी इसके बारे में सोचें । आपके थ्रू बस इतनी विनती करती हूं ।

श्री ईश दत्त यादव (उत्तर प्रदेश) : मैडम्, श्री गुरुदास दासगुप्ता तथा अन्य माननीय सदस्यों ने जो ध्यानाकर्षण प्रस्ताव प्रस्तुत किया है, मैं इसका समर्थन करता हूं । वित्त मंत्री जी का जो बयान आया है...

उपसभाध्यक्ष (कुमारी सरोज खापर्डे) : यादव जी, उस पर मेरा भी एक निवेदन है कि यह जो ध्यानाकर्षण प्रस्ताव रखा है इसके बारे में हम को ऐसा लगता है कि बहुत ज्यादा चर्चा करने के बजाय अगर प्वाइन्टेड सवाल सभी पूछें तो मुझे सबका बोलने का मौका देने में आसानी रहेगी ।

श्री ईश दत्त यादव : ठीक है मैडम, आपका आदेश शिरोधार्य है । मैं ज्यादा समय नहीं लूंगा । मैं यह कहना चाहता था कि वित्त मंत्री जी का बयान निराशाजनक है । ये इस देश के अच्छे वित्त मंत्री हैं लेकिन न जाने इनकी हमदर्दी श्रमिकों के प्रति क्यों नहीं है ? मैं मंत्री जी का बयान सुन रहा था । इनके बयान में यह है कि दिनांक 30-9-96 तक 926 करोड़ रुपया मजदूरों का बकाया था, अब यह घटकर 598 करोड़ रुपये पर पहुंचा है । मैडम, इस देश में मजदूरों की हालत अत्यन्त ही गम्भीर है । जो लोग सार्वजनिक क्षेत्र के उपक्रमों में काम करते हैं, जिनको प्रोविडेंट फंड का, वेतन का और अन्य देशों का भुगतान नहीं हो रहा है उनका परिवार कितने संकटों और आर्थिक संकटों से गुजर रहा है, यह सरकार को और माननीय वित्त मंत्री जी को कल्पना करनी चाहिए । कानपुर में बी.आई.सी, ब्रिटिश इंडिया कारपोरेशन की कपड़ा मिलें हैं, लाल इमली और एलगिन कोटन मिल है, दोनों मिलों की हालत.....

उपसभाध्यक्ष (कुमारी सरोज खापर्डे) : सिकन्दर बख्त साहब, आप जच रहे हैं, वहां पर, बहुत जच रहे हैं ।

श्री ईश दत्त यादव : मैडम, मैं आपके माध्यम से वित्त मंत्री जी का ध्यान पूरे देश के मजदूरों की समस्या, जिसकी ओर सभी माननीय सदस्यों ने दिलाया है, मैं भी दिलाना चाहता हूं । कानपुर में ब्रिटिश इंडिया कारपोरेशन की कपड़ा मिले हैं लाल इमली और एलगिन, दोनों की हालत चिंताजनक है और एक दिन मैंने समाचारपत्र में पढ़ा कि एलगिन मिल शायद सरकार 11 से बंद करने जा रही है । उस मिल का पुनरुद्धार नहीं हो पा रहा है । यह अच्छी मिल है और जब अंग्रेज इस देश में थे तो उनकी बनायी हुई मिल थी । सरकार ने इसका अधिग्रहण किया और अब यह भारत सरकार के नियंत्रण में है । लाल इमली जहां कि ऊनी कपड़ा, शाल, लेडीज शाल, जेंट्स शाल बनता था जो पूरे देश में मशहूर था आज वह भी बनना बंद हो गया है । इसका मुख्य कारण यह है कि मिल की हालत दिन प्रति दिन खराब होती गयी, मजदूरों की हालत खराब होती गयी और सरकार ने कोई सहायता नहीं की । मैं आपके माध्यम से वित्त मंत्री जी से कहना चाहूंगा कि पूरे देश के वित्त के नियंत्रण की जिम्मेदारी आपकी है । आप अपनी इस जिम्मेदारी से पीछे न हटें बल्कि देश के मजदूरों का—जो सार्वजनिक उपक्रमों में काम करते हैं जिनका आपके अनुसार भी आज 598 करोड़ रुपया बकाया है, इसके भुगतान का प्रयास करें, यह मेरा पहला निवेदन होगा ।

दूसरा निवेदन होगा कानपुर की मिलों के बारे में । कानपुर, मैडम, इस देश का बम्बई के बाद दूसरा बड़ा औद्योगिक नगर कहा जाता था, जहां मिलें हैं कल कारखाने हैं और जहां कई लाख की संख्या में मजदूर काम करते हैं । जहां सीधे सीधे जो मिलें आपके नियंत्रण में हैं चाहे लाल इमली हो चाहे एलगिन हो, इनके मजदूरों की जो दयनीय स्थिति है उसकी ओर माननीय मंत्री जी का ध्यान दिलाना चाहूंगा ।

तीसरा निवेदन करना चाहूंगा मैडम ... **(व्यवधान)** माननीय वित्त मंत्री जी मेरा आखिरी निवेदन सुनिएगा । मैं फिर दोहरा रहा हूं कि मैंने एक पेपर में पढ़ा था कि एलगिन मिल शायद आज से ही, 11 तारीख से बंद होने वाली है । इसलिए मैं चाहूंगा कि आप तत्काल हस्तक्षेप करें क्योंकि एलगिन मिल इस देश की एक प्रसिद्ध मिल है जहां अच्छे कपड़ों का उत्पादन हो रहा था । वह

मिल आज बरबाद हो ही गयी है, बंद होने जा रही है लेकिन यहां काम करने वाले जो इंजीनियर, मजदूर हैं ये सब लोग कहां चले जाएंगे । ये कई हजार की संख्या में हैं तो इनके परिवारों का क्या होगा, इनके भरण पोषण का क्या होगा, इनकी हालत क्या होगी । इन्हीं शब्दों के साथ गुरुदास दासगुप्त जी और अन्य माननीय सदस्यों का जो ध्यानाकर्षण प्रस्ताव है उसका समर्थन कर रहा हूं और वित्त मंत्री जी से मांग कर रहा हूं कि आप तत्काल मजदूरों की इस गंभीर समस्या की ओर ध्यान देकर इनका जो बकाया है उसका भुगतान करने की व्यवस्था करें । मैडम, आपने समय दिया बहुत धन्यवाद ।

SHRI SURESH A. KESWANI (Maharashtra): Madam Vice-Chairperson, the issue that is before us today is basically on the liability of the Government to make payment of the statutory dues of the workers of the sick public sector undertaking units. As my colleague has pointed out, the sick public sector undertakings are divided into two categories. Some sick PSUs which are in smaller number are lying closed; and some sick PSUs which are in larger number are not closed today, but they are running in losses. In the case of both these put together, the total amount that the Government is legally and morally bound to pay as promoters and owners of these companies is not being paid. I would like to draw the attention of this House to the broader issues. We have to examine the totality of the situation in a country like India which grows so much of cotton and which is returning to the 19th century model of exporting cotton from this country; and closing down its own textile industry one by one, without the application of mind as to what exactly we are doing in the process. Similarly, on the one hand, the Government is setting up or permitting to be set up huge capacities in the making of steel out of the ore which is produced in this country—a very sensible decision—but, on the other, a large number of engineering units which are ultimately going to consume this steel are allowed to run into sickness. I think we will have to take a very, very broad view on a perspective plan for the country for the next 25 or 30 or 50 years, as to what the areas are where we already have made a commitment either in the form of producing raw material or in the form of growing raw material or in the form of being the largest consumer of that particular item or in the form of having economies of scale and advantages in the form of labour costs that are involved. From all these aspects, wherever we have advantages compared to the world cost of production, those are the items which will have to be produced. And if such units are the units which classify themselves among these categories, they will have to be protected and the Government will have to take a view on them which is different from the view in respect of units which are of lesser relevance or we would be better off when we close them down and depend on imports instead. If we have this kind of economic perspective, then it would be very helpful to the Government in trying to determine as to which are the areas where they should continue to be. Regardless of these facts, the Government possibly can not get out of its obligation to pay the statutory dues just as any other entrepreneur is compelled to pay. We are observing that the Government, not only the Union Government but various State Governments, are gradually shifting from their earlier moral stand. The bank guarantees that the State Governments issue to the various banks are not being honoured. The Government of India enters into a sort of moral

agreement with the worker when he joins the company. He understands that his statutory dues are secure. And we do not pay the stautory dues! Or we are trying to shift the burden from here to there! What are we trying to achieve? What are we trying to communicate to the people, to the new generation? What kind of governance are we going to give? What kind of money are we really trying to save by these things? I do not think that there is going to be a real saving involved because these statutory dues, we will not be able to avoid, we will have to pay them.

So, I very strongly recommend that we provide for these dues and pay all these dues. And I join my friend Mr. Gurudas Das Gupta and support him in this Calling Attention.

Thank you, Madam.

श्री सोमपाल (उत्तर प्रदेश) : उपसभाध्यक्ष महोदया, माननीय गुरुदास दासगुप्त जी ने जो आज मुद्दा इस ध्यान कर्षण प्रस्ताव के माध्यम से उठाया है वह बहुत महत्वपूर्ण है । यह बहुत दुर्भाग्यपूर्ण स्थिति है कि मजदूरों की मजदूरी जिनको रोजाना की अपनी कमाई के ऊपर अपनी रोजी-रोटी चलानी पड़ती है इतने दिन तक उनको नहीं मिले और पूरी आयु पर्यन्त व किसी एक उपक्रम या इकाई की सेवा करें और वह भी सरकारी इकाई की और उनकी ग्रेच्युटी या पशन आदि जो सेवानिवृत्ति के उपरांत उनको मिलनी चाहिए वह समय पर नहीं मिले अथवा बिल्कुल नहीं मिले । ये मजदूर सदा दयनीय स्थिति में रहते हैं । वित्त मंत्री जी ने जिस प्रकार से इस विषय का समाधान जो उनसे अपेक्षित था उतनी प्रतिबद्धता के साथ वह वक्तव्य नहीं दिया । मैं उनके इस वक्तव्य के प्रथम पैरा में ही कुछ उपेक्षा का भाव देखता हूं । यह कहते हैं कि यह श्रमिकों का बकाया देय सम्भाव्यतः पारिश्रमिक और सांविधिक देनदारियों से संबंधित है । यह संभवतः नहीं है, निश्चित रूप से ऐसा ही है । गुरूदास जी ने यही कहा कि जो मजदूरी और सांविधिक देनदारियां नहीं हुई हैं, उन्हीं के संबंध में यह बात उठायी जा रही है । तो ऐसा लगता है कि उस के संबंध में जो मन से उन को बात कहनी चाहिए थी, जितनी परेशानी उन को होनी चाहिए थी, ऐसा आभास होता है कि वह नहीं हो रही है । अगर ऐसा है तो यह एक अच्छी टिप्पणी कम-से-कम एक योग्य मंत्री के व्यवहार के ऊपर नहीं है । मैं चाहूंगा कि वित्त मंत्री जी इस को ज्यादा मन से अधिक गहराई से इस की जांच करें और ज्यादा संवदनशीलता के साथ इस विषय को देखें ।

मैडम, वित्त मंत्री जी के वक्तव्य के दूसरे पैराग्राफ में उन्होंने वह आंकड़े दिए हैं जिस में इस देय राशि की बकाया 926 करोड़ रुपए 30 सितम्बर, 1996 तक होना बताया है जिसे अभी श्री ईश दत्त यादव जी ने भी कहा और उसके बाद कहा कि अभी-अभी श्रम मंत्रालय ने भारत सरकार के वित्त मंत्रालय को जो सूचना प्रस्तुत की है, उस में यह घटकर 598 करोड़ रुपए रह गयी है । मडम, पर-3 में उन्होंने आंकड़े देकर बताया है कि वर्ष 95-96, 96-97, और 97-98 में क्रमशः 931.40, 1218.45 और 865.38 करोड़ रुपयों का प्रावधान इन सरकारी इकाइयों को वैर-योजना ऋण के रूप में किया गया ताकि वह इस समस्या का समाधान कर सकें । उस के बाद पैर-4 में फिर कहा है कि ऋण इकाइयों की समया के समाधान के लिए 267.87 करोड़ की अतिरिक्त राशि का प्रावधान किया गया है । इन सब प्रावधानों के उपरांत अभी भी 926 करोड़ रुपए की राशि घटकर 598 करोड़ क्यों रह गयी, इस की कोई चर्चा वित्त मंत्री जी ने नहीं की । मैं अपेक्षा करता हूं कि वह यह बताएं कि इतनी राशियां दिए जाने

केंब द भी जो सब से पहली प्राथमिकता होनी चाहिए थी मजदूरों की मजदूरी और सांविधिक देनदारियों की समाप्ति, उसका अनुपालन क्यों नहीं हुआ ? इसके क्या कारण हैं । क्या यह राशियां किन्हीं और मदों में व्यय कर ली गयीं या कम व्यय की गयी और इसके लिए वहां के कौन प्रबंधक या अधिकारी लोग जिम्मेदार हैं ?

मैडम, वित्त मंत्री जी का पैरा-5 में यह कथन कि मजदूरी और दूसरी देनदारियों के भुगतान का उत्तरदायित्व प्रबंधकों का है और सरकार ने इसके लिए धन उपलब्ध कराया, यह प्रश्न सामान्यतः नहीं उठना चाहिए । इस के ऊपर मुझे आक्षेप है । मैडम, वह सरकारी अधिकारी है और उन का प्रबंध अलग नहीं है । यह निजी कम्पनियां नहीं हैं और अगर निजी भी होतीं तो कचहरियों में उन के विरुद्ध वाद अभियोजित किए जाते हैं, सजाएं करा दी जाती हैं और लोगों को हथकड़ियां भी लगती हैं । छोटे उद्यमियों के साथ भी यह व्यवहार होता है तो सरकारी अधिकारी जिनके ऊपर की इस के पालन की कानूनन जिम्मेदारी हैं, वित्त मंत्री जी का यह कहना कि यह अपनी राशियों में से, अपनी जनरेट की हुई इनकम में से, रिसोर्सेस में से दें, यह सवाल इस में नहीं उठना चाहिए था । मैडम, ईश दत्त यादव जी ने ठीक कहा है कि यहां सवाल वित्त मंत्रालय का नहीं है और गुरुदास दासगुप्त जी ने भी कहा कि यहां हमारा सवाल उन प्रबंधकों से नहीं है, हमारा सवाल वित्त मंत्रालय, श्रम मंत्रालय या किसी अन्य संबंधित मंत्रालय से नहीं है बल्कि हमारा सवाल, हमारी शिकायत और इन मजदूरों की अपेक्षा और शिकायत भारत सरकार से हैं । इसलिए वित्त मंत्री जी इस प्रकार का टालने वाला उत्तर किसी भी रूप में इस सदन में अपेक्षित नहीं है । यह निश्चित रूप से सरकार का उत्तरदायित्व है । अगर वहां के प्रबंधक उस उत्तरदायित्व का वहन नहीं कर पाए जो कि निश्चित रूप से सरकारी अधिकारी हैं तो उन के खिलाफ सरकार ने क्या कार्यवाही की क्या वित्त मंत्री महोदय इस बारे में कोई विवरण देने की कृपा करेंगे कि क्यों उन्होंने ऐसा नहीं किया इसके कारणों की जांच करने का क्या उन्होंने कभी प्रयास किया है ?

मैडम, इसी तरह पैरा-7 और 8 में पुनरुद्धार हेतु इन इकाइयों के लिए कुछ राशियों का विवरण दिया गया है । इन में से कितनी राशियां इन देनदारियों के भुगतान के लिए निर्धारित की गयी थीं और क्या उन का उपयोग उन मदों में हुआ है और अगर नहीं हुआ है तो उस के लिए कौन उत्तरदायी है ? आप ने उस के विरुद्ध क्या कार्यवाही की है ? मैडम, पैरा-9 में मंत्री जी ने बजटीय प्रक्रिया का विवरण दिया है कि संबंधित मंत्रालय या विभाग का यह उत्तरदायित्व है कि वह सरकार के पास आए कि हमारी राशि का इस मद में वह इन्हांसमेंट करें और अगर वह नहीं आते तो फिर इस प्रकार का टालने वाला, एक विभाग से दूसरे की शिकायत, उत्तर सदन में देना किसी प्रकार से उचित नहीं है । यह भारत सरकार से सीधा-सीधा सवाल है वित्त मंत्रालय या दूसरे मंत्रालय आपस में उसको कैसे सुलझाएं, क्या समाधान करें, कौन विभाग उत्तरदायी है, कौन मंत्रालय उत्तरदायी है, इसका न मजदूरों से कुछ लेना-देना है, न इस सदन को इससे कुछ लेना-देना है, हमारा सीधा सवाल भारत सरकार से है यह बिल्कुल टालने वाला, अपनी संवैधानिक जिम्मेदारी से मुकरने वाला और सरकार के लिए यह किसी प्रकार से शोभनीय नहीं हो सकता कानून का पालन करना उस सरकार का, उस सरकार के अधिकारियों का, जिनमें मंत्री और यह बड़े-बड़े अधिकारी आते हैं, सर्वप्रथम कर्तव्य है और अगर वह कानून का पालन नहीं करेंगे । तो आम नागरिक और निजी क्षेत्र की इकाइयों के सामने वह क्या उदाहरण प्रस्तुत करेंगे । खुद सरकार कानून तोड़े और निजी क्षेत्र से यह अपेक्षा करे कि वह सारे कानूनों का पालन करे, तो यह बहुत दुर्भाग्यपूर्ण स्थिति है, विरोधाभास है और किसी भी प्रकार से सरकार को इसके लिए क्षमा नहीं किया जा सकता । मजदूर के पास क्या चारा बचता है ? उसके पास इतना

□[श्री सोमपाल]

धन नहीं है कि वह न्यायालय का दरवाजा खटखटाए और जिस तरह से यहां न्यायालय न्याय करते हैं, वह सबकी जानकारी में है कई-कई साल 20–20, 50–50 साल तक लग जाते हैं और सरकारी उपक्रमों में यह बात समझ में नहीं आती। निजी क्षेत्र के साथ तो सरकार झट से कार्रवाई कर देती है, उनको हथकड़ी लगा देती है, जेल भेज देती है, उनकी सम्पत्ति कुर्क कर लेती है और यहां कोई उत्तर सरकार देना नहीं चाहती, तो किसी भी अधिकारी के खिलाफ क्या कभी कोई मुकदमा चलाया गया, क्या कोई उत्तरदायित्व का निर्धारण किया गया? सरकार से मैं यह भी अपेक्षा करता हूं कि वित्त मंत्री ने जो अपना वक्तव्य दिया है, उसमें उनको इकाइवार इन देनदारियों का विवरण देना चाहिए था कि इस-इस इकाई की ओर इतना-इतना मजदूरी का बकाया है, इतना पेंशन का बकाया है, इतना ग्रेच्युटी का बकाया है और इतनी दूसरी प्रकार की देनदारियां हैं, लेकिन वित्त मंत्री जी ने इस प्रकार का कोई विवरण नहीं दिया है। मेरी समझ में नहीं आता कि ध्यानाकर्षण प्रस्ताव हो, इतने महत्वपूर्ण विषय पर यहां चर्चा हो तो इस विवरण के अभाव में हम किस प्रकार किसी के उत्तरदायित्व का निर्धारण कर सकेंगे यह एक प्रकार से इसको टालने की बात है, जिस तरह से सारे तथ्य इस सदन के सामने नहीं आए मैं वित्त मंत्री जी से अपेक्षा करूंगा कि वे जिस-जिस इकाई के ऊपर जितना-जितना बकाया और कितने समय से बकाया है और किस-किस मद का है, उसका पूरा विवरण दें। हो सके तो वित्त मंत्री जी, मैं आपसे विनम्र निवेदन करना चाहता हूं कि इस सारे मामले पर एक श्वेत-पत्र जारी करके संसद को और पूरे देश को इन सारे तथ्यों की जानकारी दी जानी चाहिए और यदि कहीं कोई विवशता है, कोई इकाई या सारी इकाइयां यदि ऐसा लगता है कि वे सक्षम नहीं है, वॉयबल नहीं रही है, आर्थिक रूप से लगातार उनमें घाटा हो रहा है तो सारे देश के सामने, संसद के सामने आप वह समस्या प्रस्तुत करिए और मिलकर उसका एक समाधान निकाला जाए, जिसमें मजदूरों की समस्या का समाधान भी उसका एक अंतरंग अंग हो।

इसी से संबंधित दूसरी बात मैं यह जानना चाहता हूं कि इन इकाइयों का जो प्रबंधन करते हैं, क्या उन अधिकारियों का वेतन भी रुकता है? मैं इस पर वित्त मंत्री जी से स्पेसिफिक आंसर चाहूंगा, निश्चित उत्तर चाहूंगा कि क्या जो अधिकारी इन इकाइयों के प्रबंधन के उत्तरदायी हैं, क्या उनका भी वेतन रोका जाता है या केवल मजदूरों का ही रोका जाता है? यदि नहीं रोका जाता है तो यह दोहरा मानदंड आप क्यों अपना रहे हैं?

अंत में, मैं मंत्री जी से कहना चाहूंगा कि वे इस सवाल को टालने की कोशिश न करें, इसको तकनीकी जटिलताओं में उलझाने की कोशिश न करें। एक सीधा-सीधा जवाब दें, इस संसद में निश्चित आश्वासन दें कि कब तक आप इन देनदारियों का भुगतान करेंगे? उसका एक समयबद्ध कार्यक्रम प्रस्तुत करें और यदि उस समय में उसकी कार्यान्विति न हो तो इस के लिए जो उत्तरदायी है, उनके खिलाफ आप कार्यवाही करें और आगे के लिए एक निश्चित व्यवस्था हो कि जब तक इन इकाइयों के भाग्य का एक अंतिम फैसला नहीं होता तब तक उनको नियमित रूप से मजदूरी मिले और इसके लिए कड़े नियम और प्रावधान हों और जो प्रावधान, जो कानून पहले से विद्यमान हैं, उनको लागू करें और अगर नियम या प्रावधान नहीं हैं जो संसद उसका समर्थन करने से पीछे नहीं हटेगी, जो भी कानून आदि आप लाएंगे, हम उसका समर्थन करेंगे।

मैं पुनः आप से कहना चाहता हूं कि इसको उपेक्षापूर्ण और टालने वाली तकनीकी चीजों में मत उलझाइये। एक संवेदनशील मानवीय पहलू, कानूनी पहलू और अपने संवैधानिक उत्तरदायित्व को समझते हुए आप निश्चयात्मक उत्तर पूरे विवरण के साथ इस सदन के सामने लाएं, यह सदन आपको सब प्रकार से समर्थन देने के लिए प्रस्तुत है। मैं, महोदया, आपके माध्यम से पुनः अपेक्षा करूंगा कि वित्त मंत्री जी इन बातों का सटीक और निश्चयात्मक उत्तर देंगे। बहुत-बहुत धन्यवाद।

SHRI V. P. DURAISAMY (Tamil Nadu): Madam Vice-Chairman, the hon. Finance Minister has made the position of the Finance Ministry abundantly clear in his statement. But the point here is that thousands of workers of the CPSUs all over the country do not know the reason for not getting their wages, provident fund and other dues like ESI dues. The technicalities of the Government, I feel, should not stand in the way of the workers getting their dues in time.

Madam, the Central PSUs have played a pioneering role in the early decades of development. The United Front Government is committed to support the public sector companies with comparative advantages into becoming global giants. The Government is also to sincerely attempt to rehabilitate sick or potentially sick public sector companies. Now, the issue of non-payment of dues to the workers naturally pertains to the sick units and non-functioning units which have no operational income. It is right to say that the payment of wages and other dues in the case of CPSUs in relation to their workers vests in the management. This point is correct as long as the companies perform well. But when they fall sick and are not able to pay wages, it is the duty of the Central Government to provide funds to see that the workers do not suffer. Even the revival of sick units can go second in priority. But the first priority should be to pay the workers their wages and other dues. This is the duty of any welfare Government.

In the beginning of our development plans, the role of the CPSUs is laudable. That is why our first Prime Minister, Pandit Jawaharlal Nehruji, favoured setting up of more and more CPSUs, particularly in the social sector. There are several CPSUs in Tamil Nadu such as Neyveli Lignite Corporation, BHEL, etc., which have contributed to the national building and development. There are about 245 CPSUs all over the country out of which many are sick. I applaud the initiative taken by the Government, particularly by the Minister of Industry, to revive a majority of them. The Government has examined various options like disinvestment, etc., to revive those units. I am hopeful that the Government would be successful in its endeavours. After all, they have worked for the development of the nation.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Mr. Duraisamy, you put questions, straight questions, to the Minister instead of making a speech.

SHRI V. P. DURAISAMY: Madam, I am coming to that. I request the hon. Finance Minister to pay to the workers their wages and other statutory dues immediately. I hope my request will be responded to by the Finance Minister very positively.

Thank you.

श्री जलालुद्दीन अंसारी (बिहार) : महोदया, सार्वजनिक क्षेत्र के उपक्रमों के कर्मचारियों की जो देनदारियां हैं, बकाया हैं, स्टैच्युटरी ड्यूज जिसमें भविष्य निधि, कर्मचारी राज्य बीमा, पेंशन, ग्रेच्युटी आदि शामिल हैं, इनके भुगतान में होने वाली देरी के कारणों को न बताकर मंत्री जी ने हमें बतलाया है कि किस प्रोसस से ये ड्यूज मिलते हैं। वित्त मंत्री जी को विद्वान आदमी हैं लेकिन थोड़ी-बहुत प्रक्रिया तो हम तमाम लोग भी जानते हैं कि बजट क्या है, सप्लीमेंटी बजट क्या है, एप्रोप्रिऐशन बिल क्या है। तो पहले तो इन्होंने प्रोसस के बारे में बताया है कि क्या प्रोसैस है और कब-कब पैसा मिलेगा। मूल प्रश्न यह है। इन्होंने यह जिम्मेदारी सौंप दिया है प्रबंधन को। मैं माननीय वित्त मंत्री जी से जानना चाहता हूं कि पब्लिक सैक्टर का प्रबंधन है कौन-भारत सरकार। तो भारत सरकार

[जलालुद्दीन अंसारी]

इनके तमाम जो बकाया राशियां हैं वह भुगतान करने को तैयार हैं या नहीं और उनकी यह नैतिक जवाबदेही, राजनीतिक जवाबदेही, प्रशासनिक जवाबदेही, सब जवाबदेही है और अपनी जवाबदेही को वह थोप देते हैं, फेंक देते हैं दूसरे विभाग पर। इससे तो काम नहीं चलने वाला है। मैं आपका समय नहीं लेना चाहता हूं। हमारे विद्वान मित्रों ने बताया है कि वहां इस तरह से लोग आत्म-हत्या कर रहे हैं पवित्र दिन जो मजदूरी का दिन कहलाता है मई डे, उस दिन यहीं दिल्ली में तेल छिड़क कर के एक टैक्सटाईल्स मजदूर आत्म-हत्या कर लेता है और देश के विभिन्न हिस्सों में अलग-अलग लोग भूखे मर रहे हैं, आत्म-हत्या कर रहे हैं। क्या हमारी सरकार की यह जवाबदेही नहीं है कि उनके नियमित वेतन का भुगतान करे, उनकी जो बकाया राशि है पेंशन के रूप में ग्रच्युटी के रूप में, स्टेट्यूटरी ड्यूज के रूप में, इंश्योरेंस के रूप में उसको दें और नियमित वेतन का भुगतान करें। हम माननीय वित्त मंत्री जी से कहना चाहते हैं कि आप अपनी जवाबदेही को फेंकिए मत, यह भारत सरकार की जवाबदेही है और आप भारत सरकार के वित्त मंत्री हैं। वित्त तो आप ही के यहां से जाता है, किसी भी विभाग को चाहे वह इंडस्ट्री हो, लेबर हो, एग्रीकल्चर हो। आप देने में भी कोताही करते हैं और जब बजट बनाते हैं तो बजट में तो यह व्यवस्था आपको करनी होगी कि पब्लिक सैक्टर की कौन-कौन से कारखाने को हम रिवाइवल पैकेज में ले जा रहे हैं, उनके लिए इतना कॉस्ट होता है, आप उस कॉस्ट को एलौट करें, आप बजट में उसका प्रोविजन करें, सप्लीमेंटरी बजट में करें तो आप अलग-अलग मांग अलग अलग बजट में वह थोड़ा थोड़ा देकर के हम लोगों को सिखलाते हैं कि हम कर रहे हैं। व्यवस्था है, लोग भूखे मर रहे हैं। इसलिए मेरा कहना है कि यह भारत सरकार की जवाबदेही है कि इन बकाया राशियों का वह भुगतान करे और भारत सरकार के वित्त मंत्री आप हैं, इस हैसियत से हम आप से मांग करते हैं सदन के माध्यम से कि उनकी बकाया राशि का भुगतान करने की आप गारंटी करें भारत सरकार की तरफ से, हम यह आश्वासन चाहते हैं, यह जवाब आश्वासन के रूप में हम आप से मांगना चाहते हैं। इन्हीं शब्दों के साथ मैं अपनी बात समाप्त करता हूं।

†[شری جلال الدین انصاری "بہار": ہمارے ساتھ جنگ کشمیر کے اور کرگل کے کرگجاداروں کی جو دینداریاں ہیں - بقائے ہیں - انجینیر شدہ ذیسوز جن کے کو کہتے ہیں جھوٹے مدھی کرگجاری کرگجاری راجیو بھید - پنشن - گریجوٹی وغیرہ شامل ہیں انکے بھگتان میں ہونے والی دیری کے بارے میں کو بتا کر منتری جی نے ہمیں بتلایا ہے کہ کس پروسس سے یہ ڈیوز ملتے ہیں - وزیر خزانہ تو وہ ان آدمی ہیں لیکن تھوڑی بہت پریکٹس تو ہم تمام لوگ بھی جانتے ہیں کہ بجٹ کیا ہے - سپلیمنٹری بجٹ کیا ہے - امینڈمینٹ الیکشن بل کیا ہے تو پہلے تو انہوں نے پروسیس کے بارے میں بتایا ہے کہ کیا پروسیس ہے اور کب کب پیسہ ملے گا - مول پرشن یہ ہے - انہوں نے ذمہ داری سونپ دی ہے پرمنڈھن کو - میں مانیہ وت منتری جی سے جاننا چاہتا ہوں کہ پبلک سیکٹر کارخانوں کے بارے میں - بھارت سرکار تو بھارت سرکار انکے تمام جو بقایہ واجبات ہیں وہ بھگتان کرنے کو تیار ہے یا نہیں اور ان کی یہ نیتک جواب دہی - راج نیتک جواب دہی - پرشاسنیک جواب دہی - سب جواب دہی - اور اس جواب دہی کو یہ کیسے پورا کریں گے

†[ ]Transliteration in Arabic Script

ہیں اور جب بجٹ بناتے ہیں تو بجٹ میں تو یہ دیہو سکتا آپ کو کرنی ہوگی کہ پبلک سیکٹر کی کون کون "وینسوا لنزل پیلیج" میں لے جا رہے ہیں۔ اتنے لاکھ اتنا کاسٹ ہوتا ہے آپ اس کو صاف کو الاٹ کریں۔ آ بجٹ میں اسکا پراویژن کریں۔ سپلیمنٹری بجٹ میں کریں تو آپ الگ الگ مانگ الگ الگ بجٹ میں وہ تفصیل دے دے کر ان لوگوں کو سمجھاتے ہیں کہ ہم کر رہے ہیں۔ ویسا ہوا ہے۔ لوگ بھوکے مر رہے ہیں۔ لیکن میرا کہنا ہے کہ یہ بھارت سرکار کی جواب دہی ہے کہ انکی بقایا راشیوں کا وہ بخلتان کرے اور بھارت سرکار کے ورک منتری آپ ہیں۔ اس حیثیت سے ہم آپ سے مانگ کرتے ہیں سدن کے مادھیم سے کہ انکی بقایا راشی کا بخلتان کرنے کی آپ کرپا کریں کہ بھارت سرکار کی طرف سے ہم یہ آشوا سن چاہتے ہیں۔ یہ جواب اشوا سن کے روپ میں ہم آپ سے مانگنا چاہتے ہیں۔ اپنی شبدوں کے ساتھ میں اپنی بات ختم کرتا ہوں۔

بھیجنگ دیتے ہیں دوسرے وبھاگ پر۔ اس سے تو کام نہیں چلنے والا ہے۔ میں آپ کا وقت نہیں لینا چاہتا ہوں۔ ہمارے قابل دوستوں نے بتایا ہے کہ وہاں اسطرح سے لوگ آج ہتھیا کر رہے ہیں۔ پنجاب میں جو منریگا کا دن کہلاتا ہے مئی ڈے اس دن ہمیں دلی میں تیل جھڑک کر کے ایک ٹینکنالوجی منریگا آج ہتھیا کر لیتا ہے اور دیش کے وبھن حصوں میں آگ لگ لوگ بھوکے مر رہے ہیں۔ آج ہتھیا کر رہے ہیں۔ لیکن ہماری سرکار کی یہ جواب دہی نہیں ہے کہ انکے "نیاملت وتسن" کا بخلتان کرے۔ انکی جو بقایا راشی ہے پنشن کے روپ میں۔ گریجویٹی کے روپ میں۔ اسٹیپنڈ کے روپ میں۔ انشورنس کے روپ میں اسکو دیں۔ اور "نیاملت وتسن" کا بخلتان کریں۔ ہم مانیہ ورک منتری سے کہنا چاہتے ہیں کہ آپ ایسی جواب دہی کر کے بھاگیں مت۔ یہ بھارت سرکار کی جواب دہی ہے اور آپ بھارت سرکار کے ورک منتری ہیں۔ ورک تو آپ کے یہاں سے جانا ہے۔ کس بھی وبھاگ کو جانا ہے وہ انڈسٹریل ہو۔ لیبر ہو ایگریکلچر ہو تو آپ دینے میں بھی کوتاہی کریں

श्रीमूलचन्द मीणा : (राजस्थान) : गुरूदास दासगुप्त जी ने पब्लिक सैक्टर की जो कम्पनियां हैं उसमें काम करने वाले कामगारों का ग्रेच्युटी, प्रोविडेंट फंड, बकाया वेतन के संबंध में सरकार का ध्यान आकर्षित किया है और वित्त मंत्री का वक्तव्य भी इस पर आया है। तो मुझे ऐसा लगता है कि सरकार ऐसे महत्वपूर्ण विषय के ऊपर पूरे तरीके से सचेत नहीं है, बल्कि इतने महत्वपूर्ण विषय जो मानवीय आधार के ऊपर आधारित है जिन लोगों ने मेहनत की है उनको वेतन मिलना चाहिए, जिन लोगों ने इसके अंदर सेवाएं पूरी की हैं उनको पेंशन मिलनी चाहिए, बीमा की राशि मिलनी चाहिए। ऐसे महत्वपूर्ण विषय के ऊपर मंत्री के वक्तव्य को पढ़ने के बाद यह पाया कि मंत्री जी इसको तकनीकी कारण में उलझाकर इसका निवारण नहीं करना चाहते हैं। मंत्री जी ने अपने वक्तव्य में बी०आई०एफ०आर० की बात कही है। यह अच्छी संस्था बनाई थी रुग्ण उद्योगों को पुनर्जीवित करने के लिए। लेकिन मंत्री जी, आपकी यह संस्था-बी० आई० एफ० आर० बहुत लम्बा समय लेती है निर्णय करने में। दस-दस, पन्द्रह-पन्द्रह साल लग जाते हैं। जहां से मैं आता हूं उस डिस्ट्रिक्ट के अन्दर भी जयपुर उद्योग के नाम से एक फैक्टरी थी। इस प्राइवेट सैक्टर की फैक्टरी को पब्लिक सैक्टर में लिया गया और पब्लिक सैक्टर में आने के बाद उसकी स्थिति यह हुई है कि 1986 के अन्दर वह सिक हो गई। बी० आई० एफ० आर० के अन्दर उसका केस चला और 1994-95 में उसका निर्णय हुआ, लेकिन उसमें जो छह हजार कर्मचारी थे उनको पांच-पांच साल तक पुरानी तनख्वाहें नहीं मिलीं। आप उनकी पेंशन वगैरह की बात तो छोड़िए, उनको तनख्वाह तक नहीं मिली और बी० आई० आफ० आर० ने क्या फैसला दिया उस फैक्टरी को पुनर्जीवित करने के लिए कि उस फैक्टरी को प्राइवेट सैक्टर के एक व्यक्ति को दे दिया गया। उस फैक्टरी के अन्दर कम से कम करोड़ों रूपये का सीमेंट और कुछ ऐसी वस्तुएं थीं जिनको बाहर निकाला गया ....

उपसभाध्यक्ष (कुमारी सरोज खापर्डे) : मीणा, जी, आपको समय जरूर देंगे, लेकिन आप मुद्दे पर आइये और मंत्री जी से प्रश्न पूछिए।

श्री मूलचन्द मीणा : हां, प्रश्न भी पूछा जा रहा है। आपको बताऊं कि बी०आई०एफ०आर० कैसा फैसला करती है, कैसे मिल-जुल कर फैसला करती है, कैसे व्यक्तिगत लोगों को लाभ पहुंचाने के लिए फैसला करती है? उस फैक्टरी की अरबों रूपये की सम्पत्ति है। उस सम्पत्ति को व्यक्तिगत आदमी को देने के लिये बी०आई०एफ०आर० के अन्दर बैठे हुए लोगों ने उसको हड़प लिया और मजदूरों को केवल एक महीने की तनख्वाह दी जबकि उनका पांच साल का वेतन बकाया है। आज वह फैक्टरी पुनः बन्द है, वह फैक्टरी चली नहीं, उसको चार साल हो गए, आपकी बी०आई० एफ०आर० क्या फैसला करती है। ऐसे कौन अधिकारी हैं, जिन्होंने इस प्रकार का फैसला दिया है? मैं माननीय मंत्री जी से पूछना चाहूंगा कि पिछले पांच सालों के अन्दर बी०आई०एफ०आर० ने कितने ऐसे फैसले किए हैं और कितने उद्योग पुर्नजीवित हुए हैं? यह आप स्पष्ट करें। क्योंकि एक मानवीय आधार है। किनका पैसा बकाया है? जो गरीब हैं, जिन्होंने पांच साल उस फैक्टरी में काम किया है, उसके पास कोई रोजगार नहीं है, उनका पैसा बकाया है? उनका पी०एफ० काटा गया है, उनकी मेहनत मजदूरी का पैसा बकाया है। इसलिए माननीय मंत्री जी आप यह स्पष्ट करें कि दो लाख के करीब जो कर्मचारी आज दर-दर की ठोकरें खा रहे हैं, उनके रोजगार के लिए आप क्या कर रहे हैं? अगर आप उनको रोजगार नहीं दे पाये हैं, तो कम से कम उनका बकाया तो दिला दीजिए और

बी०आई०एफ०आर० वालों से कहिए कि जिन बन्द फैक्टरियों के लिए आपने डिसीजन लिए हैं, उनको आप चलवाइए। मैं मंत्री जी से यह भी जानना चाहूंगा...

उपसभाध्यक्ष (कुमारी सरोज खापर्डे) : मीणा जी, क्या हो रहा है? क्या आप प्रिपेयर्ड नहीं हैं?

श्री मूलचन्द मीणा : मैडम, जब आप कहती हैं तो मैं बैठ जाता हूं।

उपसभाध्यक्ष (कुमारी सरोज खापर्डे) : नहीं-नहीं आप बोल लीजिए। मैंने इसलिए कहा कि आप उनसे कुछ कह रहे थे। आप बोलिए मैं आपको बोलने के लिए मना नहीं कर रही हूं। आपको बोलने के लिए किसी ने मना थोड़े ही किया है।

श्री मूलचन्द मीणा : मैडम, मेरा बयान पूरा हो गया। मैं बैठ जाता हूं।

श्री शिव चरण सिंह (राजस्थान) : महोदया, नहीं ये बोल रहे हैं तो मुझे एक मिनट बोलने का मौका दें दीजिए क्योंकि.. (**व्यवधान**)...20 हजार मजदूर है..

उपसभाध्यक्ष (कुमारी सरोज खापर्डे) : आप बैठ जाइये। श्री जीवन राय।

SHRI JIBON ROY (West Bengal): Madam Vice-Chairperson, it is disgraceful and disgusting for a Member of Parliament to stand up again and again appealing the Government to pay the workers their dues, statutory dues, not wages. I understand, Madam, there are people who take birth with a golden spoon in their mouth. They don't understand what does it mean when a worker after his retirement, even after one year or two years or three years or four years, does not get the provident fund and the gratuity. They don't understand it. Probably, this is the main cause or the problem.

Madam, we understand that there is a tremendous pressure of the I.M.F. on the Government, specially on the Finance Ministry and it is being piled up since the previous Government itself. Only th 2nd of July last when the I.M.F. they proposed and demanded total and full privatisation of public sector companies. They are consulting on that. We understand the pressure and we also understand that the IMF influences the policies of the Goverment and our Government is doing everything possible to liquidate all the public sector companies. It is doing everything possible. Bills have been introduced on SICA. If accepted, liquidation would be automatic. I am not going to appeal or discuss that matter. Workers and the Goovernment would decide. Whoever has the strength, finally that would settle. I do not know whether here on outside. Politics will determine finally as to what would we the course but, Madam, dues are not paid. When they are called 'statutory dues' some confusion or misunderstanding develops. Statutory dues are not wages. It does not mean wages. Wages are not being paid in many public sector companies for 6, 7, 8 or 9 months. I am not raising that, question. Now this has become institutionalised in the body of public sector and I am not raising that, Madam. I am raising the issue of non-payment of provident fund. Is PF paternal property of the Government or of the employers of some departments? It is deducted from the wages of the workers every month at the rate of 8-1/3 per cent. or 10 per cent and deposited with the custodian, with the management and the Government, and after some years we do not get the money! The Finance Minister is coming here with the statement that he is not responsible. Then who is responsible? Workers have worked for 30 to 40 years. With regard to settlement, with every year's completion, 15 days' wage would be given at the end of the service. Now the Goovernment is saying that it is not going to pay. Is the Finance Minister not responsible for that? Do they understand what they are talking? What does it mean? The thing is that the statutory dues are a debt of the Government. As the Government is having a debt with the IMF, to private companies, so does the Government owes a debt

That money has to be provided for in the Budget it is the responsibility of the Finance Ministry to provide for that money in the Budget. Madam, I have come even a town where most of the huge factories are in the public sector. The MAMC, a huge factory, served the nation for the last 30 years. Now becaues of the policy of the Government, it is not operating, it is on the verge of liquidation. Workers are retiring, Madam Every month 200, 300, 400 manpower is being reduced. It is reduced to 1|4th. Gratuity and provident fund is not being paid. We want to hear no speech. We also refuse to make speeches. We want to know whether the money will be paid or not. I want to know whether I would be paid. It has to clear its debt or it has to prosecute the management concerned. Either of the two. According to Jaw, either you prosecute the company or you arrange for payment of the money. We want an answer, either of them, yes or no. The speech will not bear fruit. The speech will not being the bread. We are talking of laws and law points as to which department is responsible, whether Finance, Industry or Labour. But workers are dying by hanging themselves, committing suicide. Do they have a heart? Do they understand what it means? They have taken birth with a golden spoon in their mouth.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Shri Jibon Roy, put certain questions. The Minister is ready to reply.

SHRI JIBON ROY: I am concluding. We want plain answers to two questions. One, when would the money be paid? Let us know if it is not in a position to pay. Secondly, when are they going to prosecute the department concerned? Thirdly, I would like to tell the Minister that it is the debt of the Government. It is the debt of the Government and not of the Finance Ministry just as the debt taken from IMF and other places. When are they going to clear the debt of the workers? These are my questions, Madam.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Thank you, Mr. Jibon Roy.

SHRI P. CHIDAMBARAM: Madam Chairperson, I have heard with rapt attention the statements made by the hon. Members as well as the concern expressed by hem about this issue which I find, as all of you know, has engaged the attention of this House as well as the other House for many years. It is my duty, however onerous it may be, to answer on behalf of the Government.

There are a large number of public sector undertakings in India. According to the list before me, they are 243 in number, And 64 of them are before the BIFR. This is not the time or the place to dwell at great length on why the dream of the public sector spearheading industrial growth has turn partially sour. I used the word 'partially' because we have exemplary public sector units and we have identified nine of them as having the potential to become global giants. The fact remains that many of them are sick; many of them are potentially sick. Therefore, we need to evolve a policy of rehabilitation of industries, rehabilitation of the workers of those industries within the overarching policy of the public sector in this country. One or two statements which were made today were pointedly addressed to the Finance Ministry. I do not take exception to that. The calling attention iself is worded, 'to charge the Ministry of Finance for the failure to provide money'. I do not take exception to that either. In the course of my statemennt to the calling attention, if I had explained, if I were to explain that there was no failure on the part of the Finance Ministry, I submit that I should be misuderstobd for that either I maintain that there is no failure on the part of the Government and the Ministry of Finance. It these is a failure—now I will try to explain there is no failure—it is the failure of inadequacy of the policy to deal with sickness in public sector industries. I will explain myself. I, therefore, do not protest against the strong words used this afternoon. After all, Mambers represent constituencies,

Members represent unions, Members represent unions, Members represent voters and many of them are going through a very difficult time. I can quite understand the anguish of a Member who belongs to a State or a city where there are, say, a few thousand workers who are either through out of employment or whose statutory dues have not been paid. I, therefore, share that concern and I want to assure those Members that Government shares that concern and would be willing to address the problems that have given rise to that concern. Madam, please permit me a few minutes to explain what we are doing to bring some relief to those who are in sick or potentially sick public sector industries. Firstly, there is a question of payment of wages. I have made it clear that irrespective of any legal or other requirements, the Government is committed to providing wages. In fact, we are providing funds for wages. In 1995-96, Rs. 931.40 crores were provided; in 1996-97, Rs. 1,218 crores were provided; in 1997-98 Budget, I provided Rs. 865 crores and I have come before the Parliament for a supplementary demand of Rs. 267.87 crores. We are, therefore, providing this year Rs. 1,133.25 crores towards wages. These are based upon the estimates made by various Ministries under whose administrative charge the PSUs are. If we find that these estimates are under estimates, then more money has to be provided for wages. Please be asured that more money will be provided for wages and I will come to this House for another supplementary demand. I hope, I have made myself clear on the question of wages.

4.00 P.M.

We now turn to the next question of statutory dues—provident fund, employees state insurance, gratuity, bonus and some other statutory benefits. Madam, I have gone through the record of one calling attention which was raised in this House on 27th March, 1995. It is a matter of interest that that calling attention was directed to the Ministry of Labour. The Minister of Finance was requested to be present. He came in during the debate. It was even more tempestuous than the present one. He tried to make a statement but I think, he was interrupted so vehemently that he had to leave and the Minister of Labour continued. I find, the Minister of Labour, Mr. P.A. Sangma, had made a statement: "I can assure the House that payment of wages is the responsibility of the Government and the Government will do it. But, I think, the debate today has gone beyond the payment of wages to workers." So, has the debate today gone beyond wages to statutory dues. There are two kinds of sick or potentially sick public sector units, one which is partially operating or functioning which is buying raw material, producing goods and selling them in the market and yet, making a loss. The other is a public sector unit which is not functioning; which is closed down, whose case may or may not be in the BIFR, but which is closed down. Until April, 1997 i.e., until April, this year the stated policy of the Government of India was, the Government of India will not provide budgetary support to the payment of statutory dues. I have with me an instruction issued by the Ministry of Finance on the 4th of May, 1994. This was reiterated by Dr. Manmohan Singh, in his letter dated 22nd July, 1995, addressed to the then Minister of State for Industries, Shrimati Krishna Sahi. Both these documents say—I will not quote, I will just give the gist of it—"Instances have come to notice where certain Government companies have defaulted in clearing provident Fund and ESI dues in respect of their employees and have diverted the amounts to meet their working expenses etc." These are statutory dues. Their non-payment is a violation of the provisions of the Employees Provident Fund Act and the Employees State Insurance Corporation Act. "It may be clarified to all Ministries that the companies should not deploy statutory dues to meet any other expenses. No budgetary support would be provided by the Government to

make good the unauthorised diversion". Again, Dr. Manmohan Singh reiterated, "In view of this being an unlawful act on the part of PSUs, you will appreciate that the Government cannot treat the misutilized amounts of PF and ESIC dues, as a normal shortfall in the resources of the companies and would not make them good. I may add that my Ministry has already examined the matter and has issued instructions that a company should not deploy statutory dues to meet any other expenses and no budgetary support will be provided by the Government to make good unauthorised diversions. This position is reiterated."

Madam, after this Government took over, after I took over, we have made an important change in this policy. The change being that where a company is not operational, where a company is not functioning, the budgetary support, we will provide for wages, which I explained a little while ago, will include budgetary support for statutory dues. Is this an improvement or not? Is this a continuation of an earlier policy? Is it not a marked improvement on the earlier policy? No. Is it not an improvement towards protecting the rights of workers? I believe the answer to these questions is "Yes". Therefore, I have stated in paragraph 6 towards the latter portion, "However, in the case of companies which are non-functioning and have no operational income of their own, the Non-Plan budgetary support provided to them for payment of salaries and wages also includes the employer's share of the statutory liabilities which are currently falling due, till a revival plan for them is worked out".

Now, I turn to the other categories of companies—companies which are operating, partially or fully, companies which are functioning. The question is, if these companies receive budgetary support for payment of wages or are able to pay wages from their own resources, why are they not meeting the statutory obligations? If provident fund dues and ESI dues are deducted from the wages of employees why are they not being remitted to the statutory authorities? Should Government, even in the case of these companies, provide budgetary support or the statutory dues also? This is the question and this question has to be carefully considered after weighting the pros and cons of either, reiterating the old policy or making a radical change. Should not these managements be asked, should not these managements be held accountable to pay statutory dues, even while they are paying their wages with or without budgetary support? Wages are being paid, budgetary suppot is being given. Yet if operating companies, functioning companies are not paying statutory dues, then, I think, this raises a very serious question It is precisely to examine this question that a Group of Ministers has been constituted under the Chairmanship of Shri Chaturanan Mishraji, the Minister of Agriculture. I will place before that Group and the Chairman, the views expressed by hon. Members. These are a very serious issues. I have already requested the Ministry of Labour to seriously consider prosecuting these managements. But, even that has to be carefully considered. The Minister of Labour tells me that that issue would also come up before the Group of Ministers.

There are other things we are doing for the public sector. I am disappointed that enough is not being said about those things. For example, in 1996-97, we provided Rs. 1,776.70 crores, in terms of write-off of loans and interest, conversion of loan into equity, in order to revive the public sector units. Contrast this with what was done up to 1995-96. Upto 1995-96, only five revival packages were approved, at a cost of Rs. 496.62 crores. After the United Front Government took over, in 1996-97, we approved revival packages for Heavy Engineering Corpora-

tion for, Scooters India Limited, for Hindustan Photo Films Company, for Mandya Paper Mills, for Damodar Slag and Cement Limited; and several other companies. It comes to Rs. 1,776.70 crores. This is three times the amount which was provided by the previous Government.

Apart from this, there is budgetary support towards investment. In 1996-97, budgetary support to the extent of Rs. 6,834 crores was given for new investments in the public sector. In the current year, Rs. 7,601 crores is being given towards new investments in the public sector. I am willing to debate the whole public sector policy, in the light of the Common Minimum Programme.

Just to recall what I have said, we provide huge budgetary support towards investment. We have provided in one year, three times the amount provided by the previous Government for revival of the closed units. We provide a large sum of money towards payment of wages. We have provided funds for payment of statutory dues in respect of those companies which are not operating and not functioning. The only area in which there has been no change of policy is that companies which are functioning and operational should pay statutory dues as the first priority, out of their operational money. But this money should not be diverted or misultilised; and management must be held accountable for paying statutory dues especially when a company is operating of functional.

I have taken note of the strength of opinion in this House. I shall place before the Group of Ministers, headed by Shri Chaturanan Mishra, that even in those cases, the Government must find a way to provide budgetary support. I think much can be said in favour. Much can be said against. As I said, it is a vexed question. I would urge all of you to reflect upon the correctness or otherwise of not holding the managements to account, and yet providing them an easy way to escape their obligations, especially when a company is functional, when a company is operating.

One of the hon. Members said—I believe, Shri Yadav mentioned—that we must look at the whole country. Budgetary resources are resources which are voted by Parliament. Allocations are made by Parliament. Allocations are, indeed, made by the Government. But they are approved by Parliament. Allocations are made by Parliament. Every sector cries for money. Nobody is underestimating or diminishing the sufferings of the workers in the organised sector. Nobody is turning a deaf ear or a blind eye to the sufferings of the workers in the sick public sector units. But there are other sectors which claim money. There are other sectors for which hon. Members plead for more money. Take, for example, handlooms. There are 28 lakh handlooms in this country. Even assuming that three people work on each handloom for 84 lakh people, what do we provide? We provide Rs. 107 crores by way of Plan support and Rs. 96 crores by way of non-plan support. It makes up a total of Rs. 203 crores. We have millions of fishermen in this country. What does the Central Government provide for the fisheries sector? Rs. 109 crores. Money is eventually voted by Parliament. When I pointed out that there was no failure on the part of the Ministry of Finance, I was not evading the responsibility. I was drawing attention to the only manner in which money can be voted. It is for the administrative Ministry to convince the Government or the Cabinet that more money is required and that it has a just claim, and it is for the Cabinet to ask Parliament to vote that money.

If Parliament votes the money, surely, no one in the Ministry of Finance will dare to say that the money will not be provided. Eventually, the buck stops here in Parliament.

I have tried to explain in the last 15 minutes that we have, I believe, a fairly coherent policy. Some elements are missing, particularly about dealing with chronic sickness.

I was surprised to hear Mr. Gurudas Das Gupta, the first speaker on the Calling Attention, say: "I don't mind if units are closed down. But if you don't close them down, pay the statutory dues." This is an important statement. It is not easy to decide this. Even if I persuade half-a-dozen Members that a unit is not revivable and deserves to be closed now, there will be other sections of this House, which will protest and say that the unit should not be closed down. It is not easy to take a decision on closing down a unit.

I reiterate once again that we are providing the budgetary support for investments, which is the surest way to ensure that the public sector does not fall sick and that the public sector discharges its statutory responsibility. We are providing money for revival of sick and potentially sick units. We are providing money to pay wages. In the case of non-operating and non-functional PSUs, we are also providing money for statutory dues. The only area on which we have not yet taken a decision is whether in the case of functioning and operating units also budgetary support should be provided not only for wages but also for statutory dues.

As I said I will place the strength of the views of the hon. Members before the Group of Ministers. I hope that the Government will be able to resolve this issue. I will do my best within the limits of the country's finances, within the limits of our budget. We have about Rs. 200,00 crores. Rs. 65,000 crores is a borrowed money. Everything has to be provided for in Rs. 135,000 crores. Within the limits of the overall budget, keeping our macro-economic goals in mind, keeping the fiscal deficit down and keeping the inflation down, within those macro-economic goals, I will do my best to provide money. I will convey the strength of the feelings of the Members of this House to the Cabinet, particularly to the Group of Ministers. We will try to find an answer as soon as possible to payment of statutory dues along with wages to those public sector companies which are operating and functional where the managements have failed to provide those statutory dues.

Thank you.

SHRI GURUDAS DAS GUPTA: Madam, I have listened to the hon Minister. I am sorry the facts placed by the hon. Minister are at variance with the objective situation prevailing.

The Government promises to pay for the wages. But more than Rs. 100 crores are lying outstanding over three years. I can name a number of units in West Bengal, Bihar and Madhya Pradesh where wages have not been paid over a month. Therefore, despite the proclamation that the hon. Minister seems to be making persistently, the wages remain unpaid.

Therefore, my first question is: how long will the Government take to liquidate the arrears of wages? Will he say that within two months the wages are going to be paid?

Secondly, I know the resource constraint. But, here is a statement of the Minister of Finance, saying that they have no legal obligation. Does the Minister stand by the statement? If the Ministry is allowed to

make the statement that it has no legal obligation, it means that the Government must permit prosecution of the people who have been responsible for this. Neither is the Government allowing prosecution, nor is it taking the responsibility. The Ministry of Labour, I am told, has written to the Cabinet on a number of occasions that at least the delinquent management, which had misultilised the funds should be prosecuted. Why has prosecution not taken place? Will the Finance Ministry recommend to the Cabinet that they should be prosecuted?

Thirdly, the hon. Minister seems to have diluted his economic understanding with politics. He says that we are pleading for the organised sector: what about the unorganised sector? Can I expect an assurance from the hon. Finance Minister that he will plead for enactment of a law concerning the unorganised labour in agriculture, because the largest section of the unorganised labour in the country is from there? This Government has been persistently refusing to do it. Therefore, let us not play one against the other.

SHRI SOM PAL: Gurudas Ji, we are all with you, but please do not bring this issue. You concentrate on the precise issue.

SHRI GURUDAS DAS GUPTA: I agree, but there is no question of our being negligent to the problems of the unorganised sector. Yes, it is not the issue.

Fourthly, let me expect that Rs. 600 crores is the total default. Why can't the Government make a policy statement that Rs. 600 crores will be paid off within this period of time? I have raised this Calling Attention Motion referring to the Ministry of Finance, because all the concerned Ministries have given the opinion in writing that funds must come from the Government of India to make good the loss. None of the Ministries is ready to make the payment, if funds are not given by the Ministry of Finance. That is the reason. I have no sense of animosity, but the Finance Ministry did not give the money, despite the nodal Ministries looking to it. That is the reason why they have not made payments.

Lastly, since the solution cannot be delayed, let us know the exact time-frame by when the issue will be sorted out by the Government. Let the hon. Minister take the lead in this.

DR. BIPLAB DASGUPTA (West Bengal): Madam, I have been struck by the statement of the hon. Minister, I have been in Parliament for so many years now, but I have never seen such an extraordinary statement from any Minister, which, in a sense, passes the buck on to everybody else, except his own Ministry. For example, he says since the Government is a promoter, the Government should not be made responsible for their financing on a day-to-day basis. We do not see the Government as a promoter. If you have a company with a promoter, then there are other shareholders. The Government, in most cases, while dealing with companies, is only a shareholder. But, apart from that fact, the Government has a role to play as a model employer. Here we have a large number of people, who have no other means of livelihood. They have saved money over a long period of time and you tell them that you cannot do anything, because that is the duty of the officials concerned. If that is the case, what has prevented the Government from taking action against delinquent officials, who have diverted the money? Why has no punishment been given? If the Government does not put its own house in order then it is their responsibility of the Government.

There is also an allegation that they have been protected. So, the

Government cannot simply say since the officials in the public sector are responsible for diverting the money, the Government cannot do anything. Most of these officials are part of the Government.

SHRI GURUDAS DAS GUPTA: Many of them are Joint Secretaries in the Departments.

DR. BIPLAB DASGUPTA: How can the Government say that it has no responsibility? I am struck by this particular kind of statement describing the Government as promoter and saying that it does not make the Government responsible. This is something which should be challenged and not accepted.

The second point, I find, is again passing the buck. The last paragraph of the statement says that the Finance Ministry has nothing to do, because the Department concerned did not send the statements in time. Since this could not be incorporated in the Budget, nothing could be done now. So, if anything is to be done, it has to be done by the concerned Department.

SHRI SOM PAL: Such arguments have already been given. That is a sheer repetition.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Dr. Biplab Dasgupta, you were not here when they were speaking on it. There should not be any repetition.

DR. BIPLAB DASGUPTA: I won't repeat. Since I did not hear it, I said so. But, I would say at least that I have been hurt by the position taken by the Minister. Even then I find that he has failed to answer our questions. Then why should the Government not find some way of meeting the very legitimate demands of the workers? I ... I would simply say this thing which has also been mentioned by Shri Gurudas Das Gupta, that the only good thing which has come out of the Minister's statement is wages will be protected. It is fine. But then, what is the time-limit? By when, it would be done? He should give a specific answer that it will be done within two months or three months or four months and also all the arrears and wages will be paid. This categorical assurance we want from the Minister. We would also like to know from the Minister what action he is proposing to take against the deliquent officials. What action he is going to take to ensure that this thing does not happen in future. But for the moment at least all the dues which are outstanding should be paid. That is my submission.

डा० (श्रीमती) उर्मिला चिमनभाई पटेल: मैडम थैंक्यू, दो-तीन सवालों का जवाब मंत्री जी ने दिया ही नहीं है । जैसे कि जो ऐसेट्स हैं उनको बेच कर के एम्पलइज के ड्यूज देने के बारे में मंत्री जी क्या निर्णय ले रहे हैं ? इसी तरह से जो वर्कर्स कोआपरेटिव बेसिस पर सिक यूनिट्स को चलाना चाहते हैं उन लोगों को कोआपरेटिव बेसिस पर इन मिलों के सैक्शन्स को या जो बन्द आर्गेनाइजेशन्स हैं उनको चलाने की इजाजत दी जा सकेगी ? तीसरी बात मैं यह कहना चाहती हूं कि उनकी सरकार बहुत अच्छी स्टेटमेंट देकर के अगली सरकारों से एक स्टेप आगे हैं । पहले सिर्फ सरकार वेजिज के बारे में कमिटिड थी और अब स्टेट्युचरीज ड्यूज भी उन्होंने उनके साथ ज्वाइंट कर दिए हैं। यह बात सुनकर बड़ी खुशी होती है, उनको अभिनन्दन देने का मन होता है । लेकिन खाली वरबली कमिटमेंट से पेट नहीं भरता है । मैं मंत्री जी से यह जानना चाहती हूं कि अभी तक कितनी कम्पनियों और कितने लेबरर्स को इस तरह से स्टेट्युचरी ड्यूज वेजिज के साथ लिया गया है ? इसकी जानकारी अगर हमें मंत्री जी देंगे तो इसकी सत्यता की ज्यादा प्रतीति होगी ।

SHRI DIPANKAR MUKHERJEE: Madam Vice-Chairperson, I must say the reply given by the Finance Minister is not satisfactory. The Government is a indivisible entity. So far as statutory dues are concerned, what action has been taken against the management? The Jessop company which is functioning, there are outstanding dues from them on account of PF and ESI. Even if you prosecute the management, the dues will remain unpaid. The Finance Minister will agree with me that there are outstanding dues. At least there is no ambiguity about dues. Is anyone denying that dues are there? The prosecution may go on. I am not worried about what you are going to do in future. I am concerned with payment of dues. The Finance Minister agrees that dues are there. I want to know from the Finance Minister irrespective of the prosecution when are the dues going to be paid? I am addressing a precise question to the Finance Minister. Can he give an assurance that dues will be paid immediately? Is there any ambiguity about dues? When will you pay? Say, yes or no.

My second question is regarding statutory dues. Regarding the statutory dues, the Minister said that revival packages have been made or are being made. This is what you call a question of buying time. I feel that interest also should be paid on these dues. How long these people should wait? Don't they have the right to lay claim to their money? How long are they supposed to wait? Why can't the Finance Minister clear it right now?

उपसभाध्यक्ष (कुमारी सरोज खापर्डे) : श्री सोमपाल। आप संक्षेप में ही पूछिएगा।

SHRI SOM PAL: Yes, Madam. I would like to repeat only those questions which still remained unanswered. Number one, I requested the Minister whether it was possible for him to come out with all the details of pending arrears, unitwise, time-wise and item-wise. Will it be possible? If yes, by when? Secondly, can be give a time-frame, as Dr. Biplab Dasgupta has asked, to clear these arrears at least the statutory arrears? Thirdly, so far as the policy is concerned, the hon. Minister says that because of inadequacy of policy for reviving these units, this is not happening. Who is stopping the Government from evolving a policy? The House will support. They should come out with all the facts. Will he place all the facts before the House as also the difficulties which each unit is facing and the dispensation required in each case? I think we will not find Parliament lacking in support. We will all support the measure which he initiates for doing this. But let the Government come out with the facts. Will he do so?

Lastly, he has talked of diversion. He says that the earlier Finance Minister, hon. Man Mohan Singhji, has said, "No, this is our commitment". The commitment is already there. It need not be said. It is a legal commitment. It is a Constitutional commitment. And the private companies and entrepreneurs are being hauled up, they are being charged, they are being prosecuted. Why not the people responsible here? This is a commitment. Even without his saying, the commitment is there. But the question is after the statement and the commitment, whether any diversion has taken place, whether he has checked it and if any diversion has taken place, what action has been taken. This is also required by the House. Will he inform the House?

SHRI NARENDRA MOHAN (Uttar Pradesh): Just one minute, Madam.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): There is a lot of business. If I permit everybody, it will be difficult.

SHRI NARENDRA MOHAN: A very small point, Madam, Please permit me.

Madam, I think the Minister speaks on behalf of the Government of India. The Government of India is committed to the rule of law. There is the Payment of Wages Act; there is the Provident Fund Act; there is the ESI Act. And the violation of these Acts invites a lot of penalities and even jail. What is preventing this Government from using these Acts against those officers who are not following the directives and are not willing to pay the statutory dues? What is preventing you? I know that the Finance Minister is not speaking only on behalf of the Finance Ministry. It is the Government of India which is gonig to be held responsible for all the violations against the workers.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Mr. Minister. (*Interruptions*). No, Mr. Roy, please. I cannot accommodate more Members now. Mr. Minister.

SHRI P. CHIDAMBARAM: Madam, I believe that I have answered most of the questions. In fact, I think I have answered all the questions that were raised when I replied to the debate. But it appears that there are still some doubts in the minds of hon. Members. Madam, I went through the proceedings of 27.3.1995 and I find Dr. Manmohan Singh also pleaded for a policy under which we must eventually reconcile ourselves that some chronic sick public sector undertakings which cannot be revived under any circumstances would have to be closed down. Even while providing some measure of relief and rehabilitation to the workers who are affected by that closure. On that as I said, there is no consensus. In the absence of such a consensus, we have to continue to give Budgetary support to sick and potentially sick units. On 30th of September, 1996, according to the information furnished by the Ministry of Labour, Rs. 926 crores were outstanding. According to the information funished as of this morning, it has come down to about Rs. 600 crores. So, it is clear to me, accepting these figures, that Rs. 326 crores have been paid.

Now, we could give, to Mr. Som Pal, the company-wise break-up of the various dues. In fact, I have requested the Minister of Labour to write to Mr. Som Pal giving him the entire list. What I have gathered from this debate is that there are two issues which need to be addressed. Number one is: How do you ensure that statutory dues are paid in functioning and operating companies? And as a corollary to that question comes the question: Should the Government give budgetary support to these companies not only for wages where necessary but also for statutory dues? As I said earlier, Madam, I cannot answer this question today because this is the very question which is before the Group of Ministers. The second question, which the hon. Member has raised earlier and I have answered it earlier—but I will repeat it—is: Why are you not prosecuting those who diverted and misutilised those funds when companies are functioning? As I said, this question is also before the Group of Ministers. In fact, I crystalised this debate into these two questions. I said, "I will place your views, the strength of your views, before the Group of Ministers and the Cabinet and we will try to evolve a policy". As of now, my submission to all of you is that I am providing wages and in the case of non functioning

non-operating companies what I am providing includes not only wages but also statutory dues. Now the liquidation of these dues out of the funds provided naturally falls under each Ministry. We will ask each Minstry to quickly liquidate it from the funds they have asked for and have been given. It is obvious that between September 30 and now Rs. 326 crores have been given may be more was given, but some arrears have been added. We will have to go into it in greater detail. We will ask them to liquidate it as quickly as possible. As regards the other two issues, my appeal to this House is, "Please allow me to take them up before the Group of Ministers and we will try to evolve a policy".

DR. BIPLAB DASGUPTA: There should be some timeframe.

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Now we have enough discussion on this. (*Interruptions*)...

DR. BIPLAB DASGUPTA: No timeframe is given by the Minister. (*Interruptions*)...

SHRI GURUDAS DAS GUPTA: Madam, he has not given any specific timeframe. (*Interruptions*)..

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Mr. Das Gupta, we have discussed this subject. (*Interruptions*)...

SHRI GURUDAS DAS GUPTA: We have not been given any timeframe by which at least Rs. 100 crore outstanding wages will be liquidated. What he is saying is absolutely different from what we are asking for. (*Interruptions*).. How long will he take to liquidate the arrears, particularly wages? (*Interruptions*)...

THE VICE-CHAIRMAN (MISS SAROJ KHAPARDE): Now let us take the Indira Gandhi National Open University (Amendment) Bill, 1997. (*Interruptions*)..

DR. BIPLAB DASGUPTA: Madam, in protest we are walking out of the House. (*Interruptions*)..

SHRI GURUDAS DAS GUPTA: Madam, We are walking out to register our protest against the failure of the Finance Minister to give us a categorical assurance.

(At this stage some hon. Members left the Chamber).

THE INDIRA GANDHI NATIONAL OPEN UNIVERSITY (AMENDMENT) BILL, 1997.

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI S. R. BOMMAI): Madam, I beg to move —

> "That the Bill to amend the Indira Gandhi National Open University Act, 1985, be taken into consideration."

Madam, the Indira Gandhi National Open University has been working for the last one decade. It has opened centres throughout the country. Nearly four lakh students have been enrolltd by the University. It is also imparting distance education. There is a question of a small amendment before the House. There are demands from other countries to open centres. There is no provision in the Act to open centres outside India. We are seeking to amend the Act to enable the University to open its centres in other countries, where there is a demand. This would go a long way in enhancing the prestige of the University and also in offering degrees to the students in other countries. It is a small amendment. It is only for seeking a technical permission. This University should be allowed to open centres outside the country with the permission of the Visitor, that is, the President of India. This is all that I want to explain.

The question was proposed

PROF. (SHRIMATI) BHARATI RAY (WEST BENGAL): Thank you, Madam. Vice-Chai... I...